DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary
Office of Public Health and Science

Office for Human Research Protections
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January 20, 2004

Michael J. Klag, M.D.
Vice Dean for Clinical Investigation
Johns Hopkins University School of Medicine
720 Rutland Avenue, Turner 76
Baltimore, MD 21205-2196

RE: Human Research Subject Protections Under Multiple Project Assurances (MPA) M-1011

Research Project: Prospective, Randomized, Multi-Center Trial of 12 ml/kg vs. 6 ml/kg Tidal Volume Positive Pressure Ventilation for Treatment of Acute Lung Injury and Acute Respiratory Distress Syndrome (ARMA Trial)
Principal Investigator: Henry Silverman, M.D.

Research Project: Prospective, Randomized, Multi-Center Trial of Pulmonary Artery Catheter (PAC) vs. Central Venous Catheter (CVC) for Management of Acute Lung Injury (ALI) and Acute Respiratory Distress Syndrome (ARDS) and Prospective, Randomized, Multi-Center Trial of 'Fluid Conservative' vs. 'Fluid Liberal' Management of Acute Lung Injury (ALI) and Acute Respiratory Distress Syndrome (ARDS) (FACTT Trial)
Principal Investigator: Roy Brower, M.D.

Dear Dr. Klag:

The Office for Human Research Protections (OHRP) has reviewed Johns Hopkins University's (JHU) September 24 and December 22, 2003 reports responding to determinations of noncompliance with Department of Health and Human Services (HHS) regulations for the protection of human subjects involving the above-referenced research.

Based upon its review, OHRP finds that the JHU has implemented the required actions stipulated by OHRP's July 25, 2003 letter. In particular, OHRP acknowledges the following:

(1) The JHU Institutional Review Board (IRB) received the additional supplemental information and the revised model informed consent document for the FACTT trial, and has subsequently re-reviewed and approved the research.

(2) JHU has provided OHRP with a copy of the final version of the IRB-approved

informed consent document.

(3) JHU has implemented a variety of procedures including creating an Application Checklist for a New Human Subjects Research Project to help ensure that the JHU IRBs receive sufficient information to make all determinations required under HHS regulations at 45 CFR 46.111. The JHU IRB also lists the required elements of informed consent in the Application Checklist for a New Human Subjects Research Project and has developed informed consent guidelines and an informed consent template to help ensure that the JHU IRBs approve an informed consent process that satisfies all requirements of HHS regulations at 45 CFR 46.116. OHRP recommends that JHU ensure that the criteria for IRB approval under HHS regulations at 45 CFR 46.111 are included in the JHU IRB written procedures or as a checklist for IRB members.

OHRP finds that the above corrective actions adequately address OHRP's findings and are appropriate under the JHU MPA. As a result, OHRP anticipates no need for further involvement with JHU related to this matter.

OHRP appreciates the continued commitment of your institution to the protection of human research subjects. Please do not hesitate to contact us should you have any questions.

Sincerely,

Kristina Borror, Ph.D.
Director
Division of Compliance Oversight

Michael A. Carome, M.D.
Associate Director for Regulatory Affairs
Office for Human Research Protections

cc: Ms. Barbara Starklauf, Administrator, Human Subjects Committees, JHU
Dr. Lewis Becker, Chairman, JCCI -I, JHU
Dr. David R. Cornblath, Chairman, JCCI-II, JHU
Dr. Paul Lietman, Chairman, JCCI-III, JHU
Dr. Roy Brower, Principal Investigator, FACTT trial, JHU
Dr. Henry Silverman, Principal Investigator, ARMA trial, JHU
Dr. B. Taylor Thompson, ARDS Network Coordinating Center Principal Investigator, Massachusetts General Hospital
Dr. Arthur Wheeler, FACTT Trial Committee Chair, Vanderbilt University
Dr. Gordon R. Bernard, Chairman, ARDS Steering Committee, Vanderbilt University
Dr. Herbert P. Wiedemann, FACTT Trial Committee Chair, Cleveland Clinic Foundation
Dr. James Kiley, Director, Division of Lung Diseases, NHLBI
Dr. Lana Skirboll, Director, Office of Science Policy, NIH
Dr. David Lepay, Director, Good Clinical Practices Program, FDA
Ms. Melinda Hill, OHRP
Ms. Patricia El-Hinnawy, OHRP