DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary
Office of Public Health and Science

Office for Human Research Protections
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November 17, 2003

Lee E. Limbird, Ph.D.
Associate Vice Chancellor for Research
Vanderbilt University
D-3300 Medical Center North
Nashville, Tennessee 37232-2104

RE: Human Research Subject Protections Under Multiple Project Assurance (MPA) M-1363

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)
Principal Investigator: Arthur Wheeler, 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) (FACCT)
Principal Investigator: Arthur Wheeler, M.D.

Dear Dr. Limbird:

The Office for Human Research Protections (OHRP) has reviewed Vanderbilt University's (VU) August 22 and October 16, 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 VU has implemented the required actions stipulated by OHRP's July 25, 2003 letter. In particular, OHRP acknowledges the following:

(1) The VU 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) VU has provided OHRP with a copy of the final version of the IRB-approved informed consent document.

(3) VU has implemented a variety of procedures including revision of the VU IRB Reviewer Comment form and the VU IRB Application for Human Research and Instructions to help ensure that the VU IRBs receive sufficient information to make all determinations required under HHS regulations at 45 CFR 46.111. The VU IRB also has developed a template informed consent document to help ensure that the VU IRBs approve an informed consent process that satisfies all requirements of HHS regulations at 45 CFR 46.116.

OHRP recommends that the VU IRB ensure that the written IRB procedures include detailed procedures to ensure that the VU IRBs approve an informed consent process that satisfies all requirements of HHS regulations at 45 CFR 46.116.

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

OHRP appreciates the continued commitment of your institutions to the protection of human research subjects. Please do not hesitate to contact me 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: Dr. Alastair J. J. Wood, Assistant Vice Chancellor for Research, VU
Dr. Kenneth Smithson, Chair, IRB #1, VU
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Jan Van Eys, M.D. Ph.D., Chair, IRB #3, VU
Dr. Mark Magnuson, Assistant Vice Chancellor for Research, VU
Dr. Arthur Wheeler, FACCT Trial Committee Chair, VU
Dr. Gordon R. Bernard, Chairman, ARDS Steering Committee, VU
Dr. B. Taylor Thompson, ARDS Network Coordinating Center Principal Investigator, Massachusetts General Hospital
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