*How to Engage External Research (*Investigator Initiated Research *and Collaborative Research)*

- Practical Compliance Considerations

Presented by the MAPS Compliance Focus Area Working Group

Disclaimer

The views expressed in this Webinar are those of the presenters, and are not an official position statement by MAPS, nor do they necessarily represent the views of the MAPS organization or its members.

This presentation is for informational purposes only and is not intended as legal or regulatory advice.

>> NOW SPEAKING: **Erinn Hutchinson**

PwC

Educational Objectives

This session will provide a learning opportunity for our audience by helping you:

- Understand WHAT is Investigator Initiated Research (IIR) vs. Collaborative Research?
- Recognize challenges of conducting IIR and Collaborative Research
- Recommendations for practical compliance/privacy implementations

>> NOW SPEAKING: **Erinn Hutchinson**
PwC

Presenters

Erinn Hutchinson
Moderator

PwC

Maureen Lloyd
Presenter

Independent Consultant

Jessica Santos, PhD, CIPP
Presenter

Global Compliance & Quality Director,
Kantar Health

>> NOW SPEAKING: **Erinn Hutchinson**

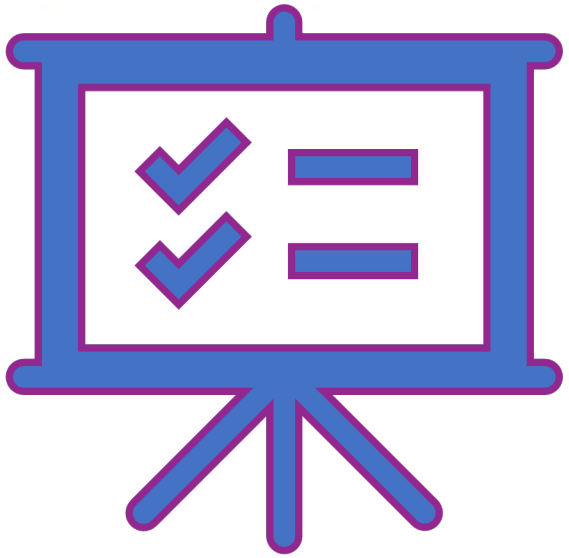
PwC

Polling Question 1

Question for audience: In your organization/company, does your organization/company support External Research

- IIRs
- Collaborative Research
- Both
- My company/organization does not support External Research

Agenda



- Defining External Research
  - Investigator Initiated Research (IIR)
  - Externally Sponsored Collaborative Research
- Focusing on Collaborative Research
  - Agree Aims and Responsibilities
  - Regional Considerations
- Privacy Requirements
- Practical Guidance/Compliance Considerations
- Summary & Q&A

Defining External Research

Externally Sponsored Collaborative Research

Investigator Initiated Research (IIR)


>> NOW SPEAKING: **Erinn Hutchinson & Maureen Lloyd**

Identify and define External Research

Define for your organization what qualifies as IIRs vs Collaborative Research

Identifying common factors vs differences e.g.,

Common to both the **external partner/non-industry partner organization** is the **Sponsor** of the study

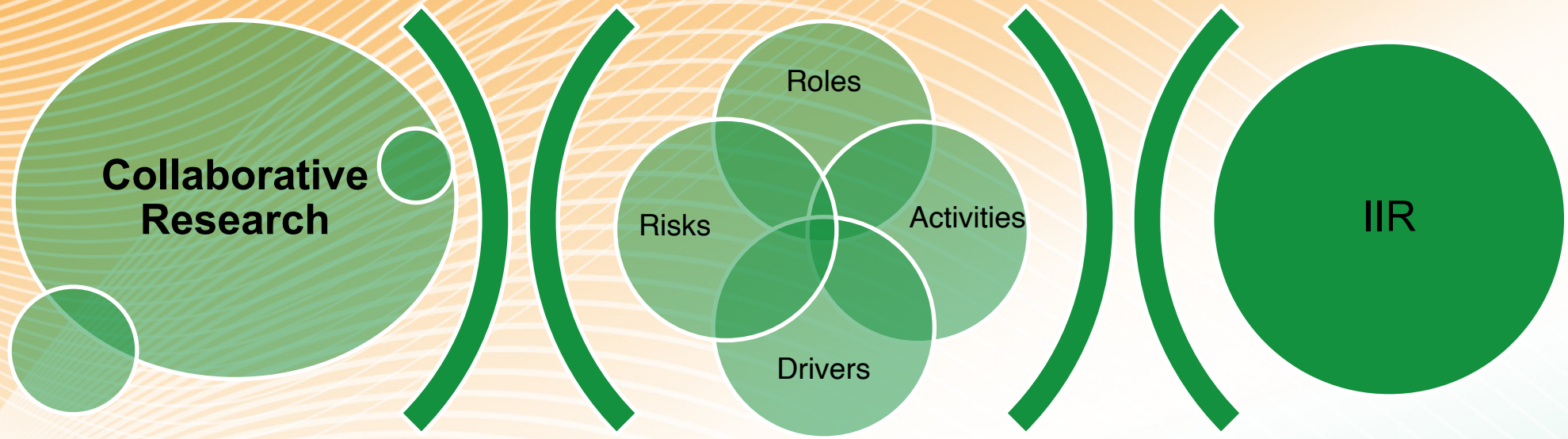
Potential difference, (i) restriction on who can initiate the research (ii) level of involvement

- **Standardize procedures,**
- **Establish a consistent review process**
- **Develop approaches that mitigate risk**
- **Build tools to support execution**

COMPARING KEY RESPONSIBILITIES IN COMPANY SPONSORED RESEARCH, COLLABORATIVE RESEARCH & IIR

Key responsibilities	Company Sponsored Research	Collaborative Research	Investigator Initiated Research
Initiator of study proposal	Industry/Company	Industry or External partner/ investigator	External party/Investigator *Industry/company must not initiate research*
Regulatory responsibility/ sponsor	Industry/Company	External partner/investigator	External party/investigator
Study objectives	Industry/Company	Both parties	External party/investigator, but may be aligned with Industry Objectives
Study design	Industry/Company	External partner driving the design and input from both parties	External party/investigator
Protocol design/ development	Industry/Company	External partner driving the development and input from both parties	External party/investigator
Study Execution	Industry/Company	External partner driving the execution but potential input from industry partner	External party/investigator
Data ownership/sharing (including alignment with General Data Protection Regulation)	Industry/Company	As per agreement	External party/investigator
Data reporting (including registration and clinical study report disclosure and publications)	Industry/Company	As per agreement	External party/investigator
Ownership of intellectual property (IP)	Industry/Company	As per agreement	External party/investigator

KEY CONSIDERATIONS EXTERNAL RESEARCH - COLLABORATIVE RESEARCH & IIR



Key Considerations

Potential Risks

Contractual Obligations

Once a study is initiated as Collaborative Research, the study cannot be converted into an IIR

>> NOW SPEAKING: **Erinn Hutchinson**

PwC

Polling Question 2

Question for audience: In your organization, how has level of support for External Research changed in the last 18 months?

- More
- Same
- Less
- A lot less

Focusing on Collaborative Research

Collaborating Partners, agree aims and responsibilities up front


>> NOW SPEAKING: **Erinn Hutchinson & Maureen Lloyd**

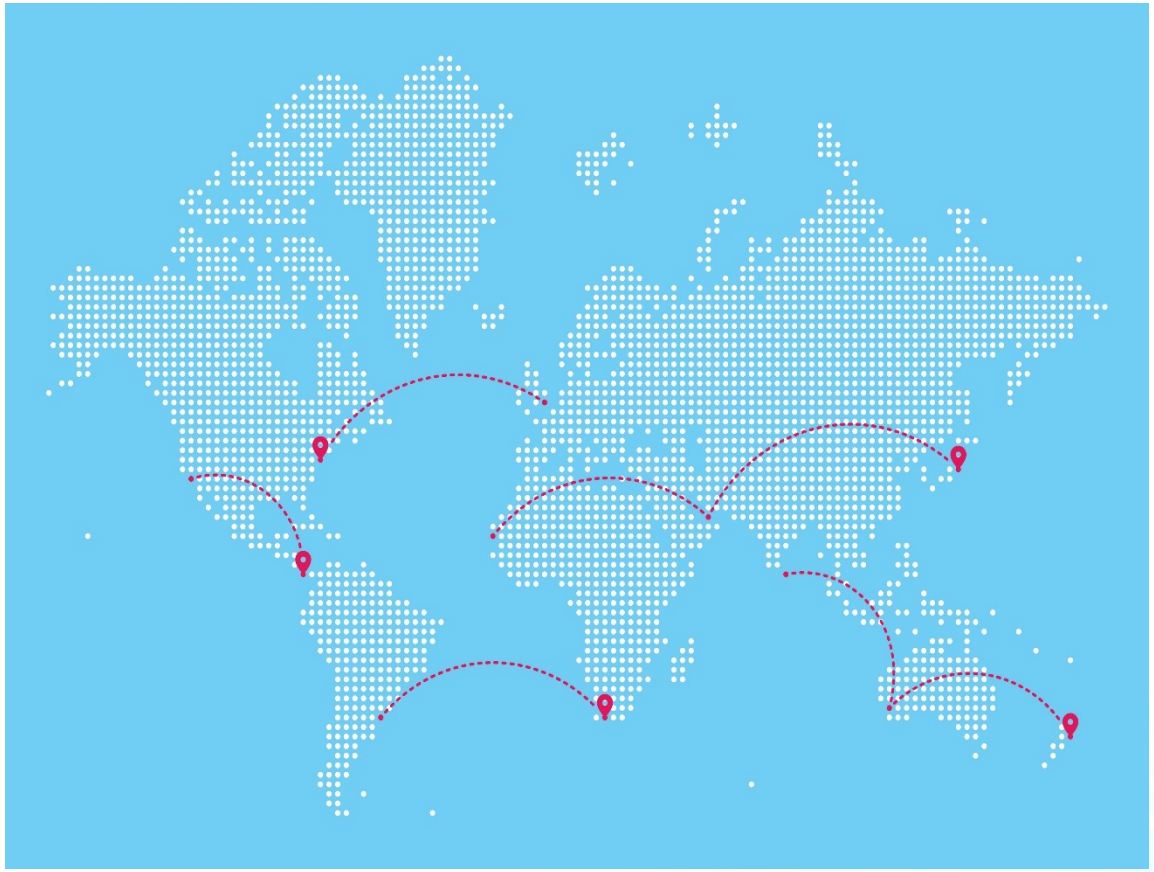
Collaborative Research – Potential Challenges

- Collaborating partners aligned with the intent and purpose of conducting the research.
- Both parties collaborate in the study e.g., development of synopsis & protocol, data analysis etc., but the external partner is the sponsor including leading communications with local regulatory agencies and other entities for all matters relating to the study
- Establish appropriate ‘Communication Paths’ as early as possible
- Establish Roles and Responsibilities at the outset, create a RACI chart (**R**esponsible, **A**ccountable, **C**onsulted and **I**nformed)
- Agree to the level of shared access to, and use of, the data generated, ownership of data and/or ownership of the Intellectual Property (IP)

Begin contract negotiations early, include your Legal, IP Legal, Privacy Office & Compliance colleagues.


>> NOW SPEAKING: **Erinn Hutchinson & Maureen Lloyd**

Collaborative Research - Regional Considerations



Ideally Collaborative Research standards, definitions and contractual requirements would be uniform & not vary across regions but consider

- Divergences between countries and regulatory authorities are emerging.
- Differences between countries in restrictions on industry access to patient data
- Privacy and Confidentiality requirements specific to a region or country

Privacy Requirements

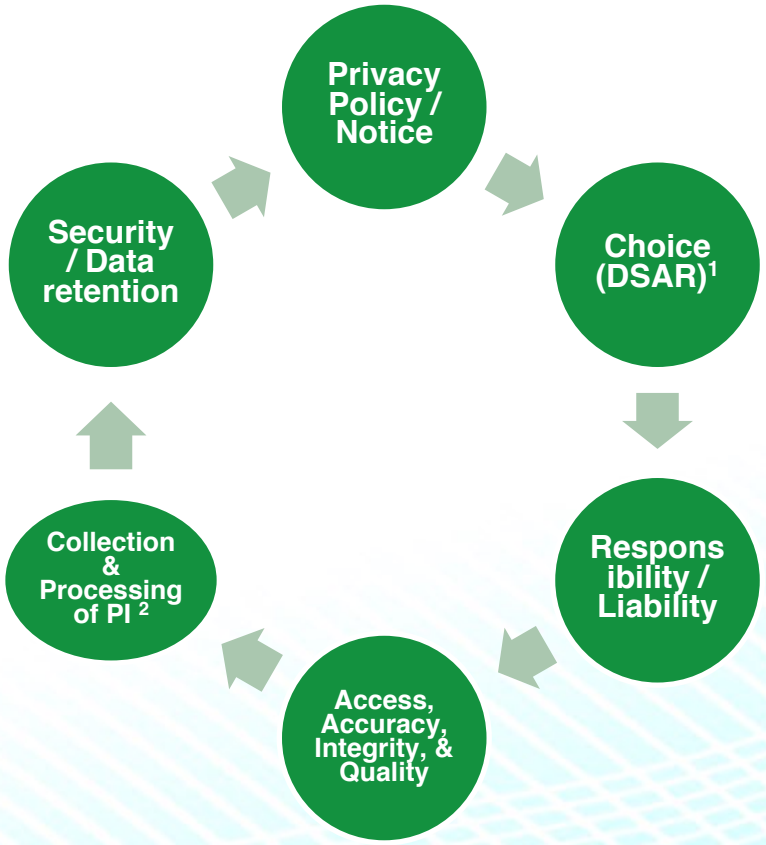
Considerations for both IIR and Collaborative research

>> NOW SPEAKING: **Jessica Santos**

Global Compliance and Quality Director, Kantar Health

Privacy Principles

- The important party in all research – PATIENT (the data subjects)
- How to ensure their rights are protected? Data collection and processing is fair, transparent, and lawful?
- Consideration of risk for prospective and retrospective studies



1 DSAR - Data Subject Access Request
2 PI - Personal Information

>> NOW SPEAKING: **Jessica Santos**

Global Compliance and Quality Director, Kantar Health

Privacy Considerations

1. Understand your data!
   - personal, pseudonymized, anonymized, aggregated?
   - Individual level study data, personal data, processed database?
2. Who does what?
   - All obligations should be fulfilled, avoid duplication or everybody believe someone else will do it
3. (International) data transfer
   - Data share agreement? Data minimization? Centralized database? Data governance board? Data monitoring committee?

Practical Guidance/Compliance considerations

>> NOW SPEAKING: **Erinn Hutchinson**

PwC

Polling Question 3

Question for audience: Do you have policies and procedures for External Research

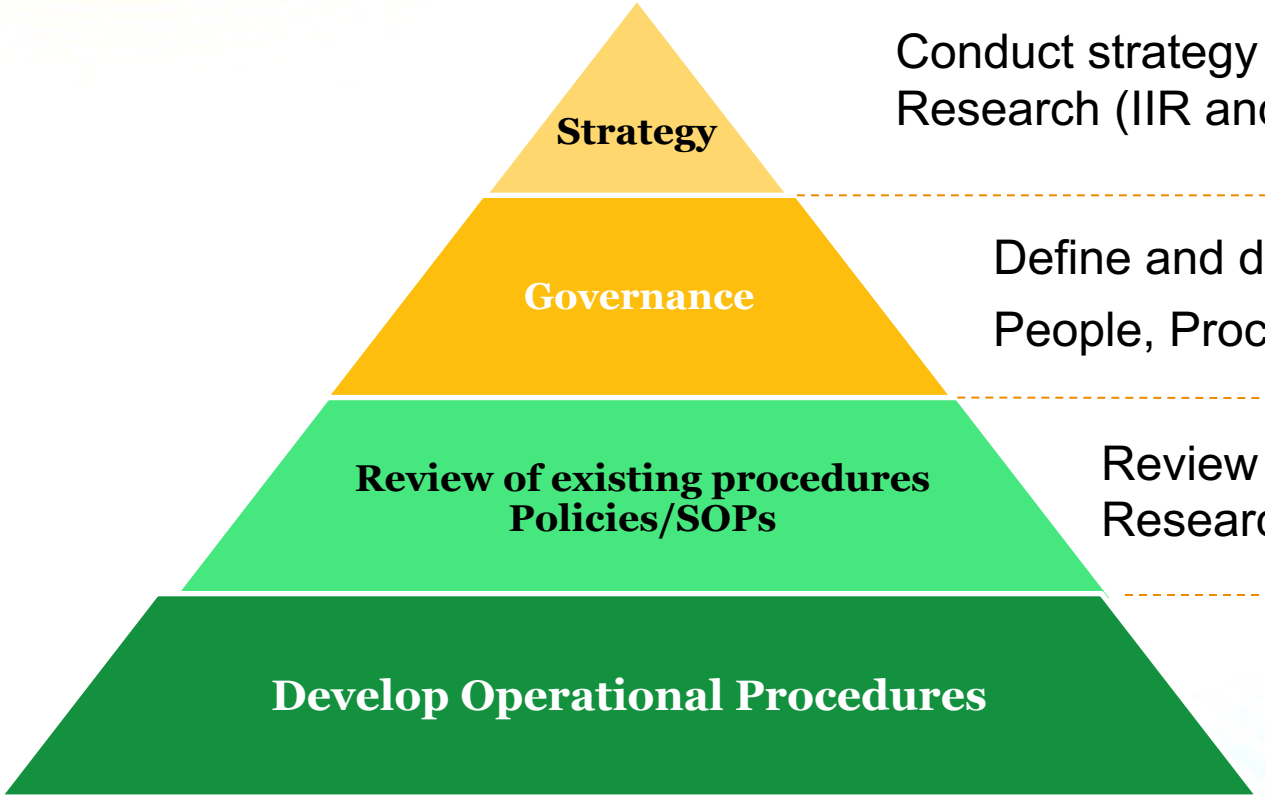
A. **Policies and procedures for IIRs but no formal procedures for Collaborative Research**

B. **Separate policies and procedures for IIRs and Collaborative Research**

C. **Policies and procedures that integrate both IIRs and Collaborative Research**

>> NOW SPEAKING: **Maureen Lloyd**
Independent Consultant

Summary of Potential Steps for setting up the Framework, Governance & SOPs to support External Research



Conduct strategy assessment to develop your External Research (IIR and Collaborative Research) program goals.

Define and design your approach to Governance

People, Process, Technology

Review any existing procedures used to support External Research, define go forward procedural strategy

Develop comprehensive procedure(s) to manage IIRs and Collaborative Research

Incorporate risk and control framework

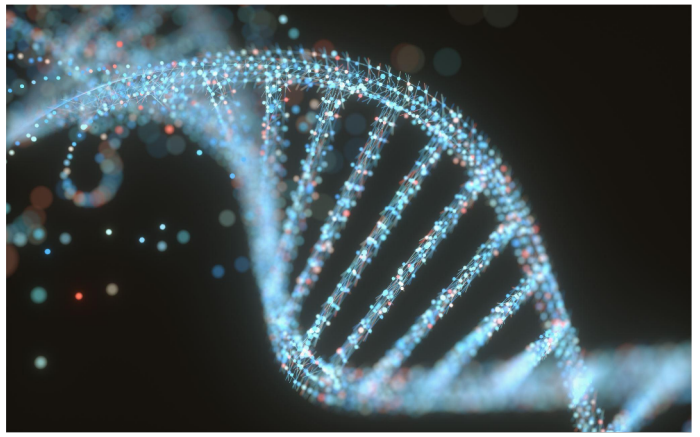


>> NOW SPEAKING: **Erinn Hutchinson**
Jessica Santos, & Maureen Lloyd

Practical Tips/Compliance Considerations

Communications strategy

- Define communication/ information-sharing strategy **internal and external**
- Training, communication materials



Control framework

- Assess risks with respect to (i) regulatory requirements, (ii) healthcare compliance
- Define the key compliance controls to mitigate risk

Monitoring strategy, design and execution

- Integrate monitoring into the initial implementation of the procedures
- Conduct voluntary internal audit(s) 12 to 18 months after implementation of procedures

Summary

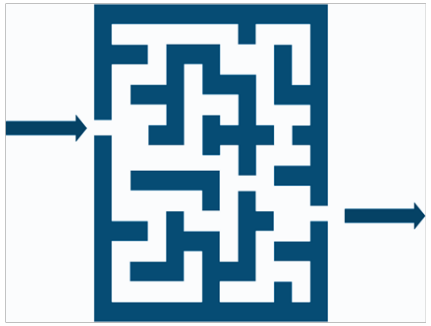
Sample of Questions for IIRs

Does the external partner understand the obligations of regulatory sponsor?

Is the study in- line with medical strategy

Is the request for IIR support unsolicited

Debarment Checks, Budget and confirming FMV ?



What are the contractual requirements?

It is important to remember that IIRs are unsolicited and communications must be in line with local requirements and adhere to the company policies

What are requirements for registration on public website(s)? And is the external partner adhering to those requirements

Are there IP concerns

What are the Privacy implications ?

What are the required deliverables, CSR, publication

CSR - Clinical Study Report

>> NOW SPEAKING: **Maureen Lloyd**
Independent Consultant

Sample of Questions for Collaborative Research

Does the external partner understand the obligations of regulatory sponsor?

Is the sponsor clearly identified as the external partner ?

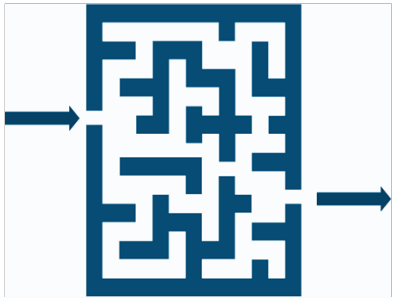
Is the study in- line with medical strategy

Debarment Checks, Budget and confirming FMV ?

What are the contractual requirements?

Are roles & responsibilities clearly defined

What are requirements for registration on public website(s)?



Who owns the IP/Data?

What are the Privacy implications ?

What are the publication implications?

It is important to determine the sponsor of the study upfront

- FDA recognizes only a single sponsor vs EMA "co-sponsorship*"
- A regulatory agency can consider the industry partner the regulatory sponsor even though the contract identifies external partner has regulatory responsibility

*Co-sponsorship - European Medicines Administration of 536/2014 Article 72

Appendix

Backup/Detail related to slides within main presentation

>> NOW SPEAKING: **Maureen Lloyd**
Independent Consultant

Back up to slide "Identify and Define External Research"

Sample definitions (1/3)

GSK[1] Supported Studies are research conducted by an external Sponsor with GSK's support. There are two different ways GSK can provide support:[2]

Investigator Sponsored Studies are entirely designed and managed by an external Sponsor. GSK can support in the form of funding and/or product (including GSK products, adjuvant for vaccines, placebo, or other medicinal products necessary for the research). These studies are also known as Investigator-Initiated Studies, Investigator-Initiated-Trials, Investigator Initiated Research or Investigator Sponsored Research.

- **Supported Collaborative Studies** are conducted by an external Sponsor, with GSK contributing to study design and deliverables, in addition to the provision of funds and/or products.

In both circumstances the Sponsor of the research is accountable for all aspects of the study as well as for complying with all applicable ethical, regulatory and legal requirements.

Pfizer[2]

- **Investigator Sponsored Research (ISR)** An ISR is a type of grant that supports an independent research study where the investigator or organization is the sponsor of the study and where Pfizer provides financial and/or non-financial support for the development or refinement of specific and defined medical knowledge relating to a Pfizer asset.
- **Clinical Research Collaborations or CRCs** are engagements under which Pfizer collaborates with an external party to perform a clinical study and/or other clinical research activities. .

1 https://iss.gsk.com/
2 https://pfe-pfizercom-prod.s3.amazonaws.com/corporate_citizenship/2020White_Guide.pdf

Back up to slide "Identify and Define External Research"

Sample definitions (2/3)

Boehringer Ingelheim

Investigator Initiated Studies[1] (IIS) Program is offered to academic and clinical scientists, who are interested in independently proposing and conducting their own research. Boehringer Ingelheim may provide financial support and/or drug for an approved IIS.

- Boehringer Ingelheim does not serve as the regulatory sponsor for IIS.
- In general, IIS are not registrational studies and may be proof of concept or exploratory in nature. The budget for such studies should reflect the funding required to conduct the research (e.g. actual costs of materials and services) and cannot include direct salary support of the principal investigator.

External Collaborative Research[2] Program is offered to academic and clinical scientists, who are interested in proposing a research study and wish to collaborate with Boehringer Ingelheim - as the supportive partner - to further develop a protocol and analyze and/or publish the results. In addition to providing intellectual contributions, Boehringer Ingelheim may provide drug and/or financial support to an approved ECR.

- The collaborative partner must assume all responsibility (including under applicable regulations) and retain ultimate control over the conduct of the ECR including acting as a regulatory sponsor.
- Boehringer Ingelheim does not serve as the regulatory sponsor for ECR.

1 https://pro.boehringer-ingelheim.com/funding/funding-opportunities-clinical-research-grants/funding-opportunities-investigator-initiated-studies-iis
2 https://pro.boehringer-ingelheim.com/funding/clinical-research-grants/external-collaborative-research

Back up to slide "Identify and Define External Research"
Sample definitions (3/3)

Sanofi [1]

- Investigator Sponsored Studies are defined as unsolicited research originating from an external sponsor entity, institution or organization and include studies also known as investigator sponsored trials (IST), expert initiated research (EIR) or any other term which may reference investigator-sponsored or investigator-initiated research.
- Externally Sponsored Collaborations are conducted in collaboration with an institution or organization (the external sponsor must not be a pharmaceutical company nor a vendor. Individual investigators are not eligible to enter into an ESC with Sanofi) based on a jointly defined research where primary regulatory sponsorship is held externally to Sanofi.

1 https://www.sanofi.com/en/science-and-innovation/clinical-trials-and-results/investigator-sponsored-studies

>> NOW SPEAKING: **Maureen Lloyd**
Independent Consultant

Back up to slide "Key Considerations External Research"

Key Considerations

Collaborative Research

- What is the role of the industry partner e.g., contributes funding and/or drug, expertise complementary to that of external partner organization e.g. providing input to the study design, synopsis and protocol, statistical analysis plan, study report and where appropriate the publication.
- Are there activities that the Industry partner is not willing (or not recommended) to engage in e.g., monitoring the study ? (conflict of interest, bias, scientific scrutiny, independent review)
- Why Collaborative Research, what are the drivers? Data sharing, data ownership, restricted access to data

IIRs

- What is the role of the industry partner e.g., only contributes funding and/or drug,
- How do you ensure research remains independent?
- Why IIR, what are the drivers? What are risks?

>> NOW SPEAKING: **Maureen Lloyd**
Independent Consultant

Back up to slide "Key Considerations External Research"

Potential Risks

- Recognize that both IIRs and Collaborative Research does not come without risks e.g.
  - Every study will be unique, building templates (protocol, contractual) can be challenging
  - Although there are standard definitions for IIRS, there are no global standard/definition for what is Collaborative Research
  - If Collaborative Research is being used to support regulatory requirements, how do you mitigate the risks of not being sponsor of the study ?
  - In Collaborative Research there can be challenges in identifying who is the Sponsor and industry partner risks being considered a single *de facto* sponsor of a given trial by a Regulatory Authority
  - In IIR, was there any influence by the company prior to the commencement of the IIR study, during execution or at close out

>> NOW SPEAKING: **Maureen Lloyd**
Independent Consultant

Back up to slide "Key Considerations External Research"

Contractual Obligations

- Every External Research study will be different and therefore contractual obligations will be different !
- Given the uniqueness of each study, what common contractual obligations can be defined
- The contractual agreement between the parties must clearly identifies the objectives, the roles and responsibilities, the deliverable(s), ownership /sharing of data, privacy and confidentiality considerations, safety reporting in addition to the normal contractual obligations.
- For collaborative research, defining clearly the roles/responsibilities in the contract for parties involved in the collaboration