From: OC GCP Questions
To: [redacted]
Subject: MDR of events occured during clinical trials
Date: Wednesday, June 22, 2016 2:04:00 PM

Good afternoon –

FDA's requirements for reporting SAEs for IND studies are found at 21 CFR 312.32. (You can access all of FDA's regulations for human subject protection and the conduct of clinical investigations through a link on FDA's good clinical practice (GCP) webpage: www.fda.gov/ScienceResearch/SpecialTopics/RunningClinicalTrials/ucm155713.htm.)

Sec. 312.32 IND safety reports. –Please see the link to review this regulation in detail. CFR - Code of Federal Regulations Title 21

There is also FDA guidance available that address adverse event reporting:

ICH E6: Consolidated Good Clinical Practice Guidance (www.fda.gov/downloads/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/UCM073122.pdf) states:

4.11 Safety Reporting

4.11.1 All serious adverse events (SAEs) should be reported immediately to the sponsor except for those SAEs that the protocol or other document (e.g., Investigator's Brochure) identifies as not needing immediate reporting.

An additional guidance titled "Adverse Event Reporting to IRBs - Improving Human Subject Protection" (www.fda.gov/downloads/RegulatoryInformation/Guidances/UCM126572.pdf) further discusses adverse event reporting. Although this document pertains to reporting adverse events to Institutional Review Boards, I believe that you will find the information contained within the guidance helpful. Please note that unlike regulations, FDA's guidance documents do not establish legally enforceable responsibilities. Instead, guidances describe the Agency's current thinking on a topic and should be viewed only as recommendations.

Since you mentioned MDR reports -- While the regulations for drugs and biologicals (21 Title 21, Code of Federal Regulations - 21 CFR - Part 312) requests that study safety information be submitted by use of an MDR 3500A (21 CFR 312.32), this form is not referenced in the regulation regarding the conduct of investigational device studies (21 CFR Part 812). The Center for Devices and Radiological Health (CDRH) requests that adverse events in clinical studies be reported to the review division in the Office of Device Evaluation (ODE) to which the Investigational Device Exemption (IDE) application was submitted. Once the device is legally marketed, adverse events for use of that device are submitted to MedWatch (MDR section for devices).

Additionally, there may be reporting requirements for a study that is not subject to 21 CFR Part 812, for example, if the device is being studied in accordance with its approved/cleared labeling, in which case use of the device would be subject to the medical device reporting (MDR) regulation under 21 CFR Part 803. Under this provision, if an investigational site is a device user facility (defined in 21 CFR 803.3), it is required to report deaths and serious injuries to the device manufacturer (see 21 CFR 803.30).

Lastly, since your study is a combination product clinical trial, it might be best to send your question to the Office of Combination Products at combination@fda.gov . Please also see their website below.

Combination Products

I hope this information is helpful. Please contact us again at gcp.questions@fda.hhs.gov should you have additional questions.

Kind regards,

Doreen M. Kezer, MSN
Senior Health Policy Analyst
Office of Good Clinical Practice
Office of the Commissioner, FDA

From: [redacted]
Sent: Wednesday, June 22, 2016 11:13 AM
To: OC GCP Questions
Subject: MDR of events occured during clinical trials

Dear all,

I am wondering whether you can help me with the regulation, which applies to serious adverse events reporting, of incidents occured during clinical trials, as part of combination product evaluation, and related to the device part ? I've reviewed the 21CFR803, and the Concept Paper for comments in relation with Post Market Safety Reporting, and I have no response !!!!

FYI, the concerned combination product, which is being tested, will be approved under one marketing application following BLA pathway
The device part is owned by third party and manufactured outside the US

Available for further information if needed

Regards

[redacted]