From: OC GCP Questions
To: [redacted]
Subject: I/E Criteria not included in Protocol
Date: Monday, August 10, 2015 8:02:57 AM

Good morning –

I believe I answered a similar question from you on Thursday 8/6/15. You are correct. The protocol should be followed as written. By placing additional I/E criteria restrictions before screening enrolling study subjects might change the outcome of the data collected for the clinical study. Additionally, if the subject did not meet inclusion/exclusion criteria for example, even if approved by the sponsor, we would consider this a protocol violation, would be considered non-compliance with the regulations, and would be cited during a FDA inspection. Protocol amendments can be made as the study goes forward if needed. If the sponsor wants to change or amend the protocol, they would need to get approval from FDA and the IRB.

Additionally, you question relates to screening and documentation of eligibility of the subject. Your IRB should be provided with the screening process for their review. The FDA Information Sheet "Screening Tests Prior to Study Enrollment" (available at Search for FDA Guidance Documents > Screening Tests Prior to Study Enrollment - Information Sheet) states, "Clinical screening procedures for research eligibility are considered part of the subject selection and recruitment process and, therefore, require IRB oversight."

In general, the information maintained on individuals screened for a study should be sufficient to demonstrate that the study screening was appropriately conducted per the investigational plan and or protocol and that adequate medical history and screening was completed to make sure that the potential subject met inclusion/exclusion criteria. Of course, for individuals who pass screening, records demonstrating that the screening criteria are met would be part of the case histories required to be maintained for the study.

Kind regards,

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

From: [redacted]
Sent: Friday, August 07, 2015 4:37 PM
To: OC GCP Questions
Subject: I/E Criteria not included in Protocol

Hello,
During the recruitment and screening process, investigators and members of the clinical team are placing additional inclusion/exclusion (I/E) criteria on the subjects that are not required by the protocol or documented in a local SOP. Sponsor approval is sought via email, but the protocol is not changed and the IRB is not notified of the additional I/E criteria. My

understanding is that the protocol is the primary source of I/E criteria and if the protocol is silent, additions would need to be added via amendment or supported by the site's SOPs. Would you clarify if this is this also the expectation of the FDA? Are there any repercussions should this be discovered during an inspection? Thank you in advance.

Kind regards,
[redacted]