Informed Consent Updates

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A little review and a lot of updates!

- The Common Rule implementation date
- Review of consent form changes
- Posting of clinic trial consent forms
- New templates available
- Translation services
- Electronic consents
The Common Rule

• Federal Regulations for the Protection of Human Participants in Research (45 CFR 46 Subpart A)

• Applies to federally funded **Non-Exempt Human Subjects Research**

• Created in 1981 using Belmont Report Principals, Revised 1991

• New Revised Rule Published January 2017

• Implementation **January 19, 2018**  **July 19, 2018**  **January 21, 2019**
Informed Consent

- New Format and New Requirements & Elements
Requirements for Informed Consent

• 1) Before involving a human subject in research, an investigator shall obtain the **legally effective informed consent** of the subject/LAR

• 2) An investigator shall seek informed consent only under circumstances that provide the prospective subject/LAR **sufficient opportunity to discuss and consider whether to participate** or not that minimize the possibility of coercion or undue influence

• 3) Information given to subject/LAR shall be in **language understandable** to the subject/LAR

• 6) **No exculpatory language** where subject/LAR made to waive any legal rights or release investigator/sponsor/institution/agents from liability of negligence
New Requirements for Informed Consent

• 4) The prospective subject/LAR must be provided with information that a **reasonable person** would want to have in order to make an informed decision about whether to participate and an opportunity to discuss that information

• 5) Must begin with a concise and focused presentation of the key information that is most likely to assist a prospective subject/LAR in understanding the reasons why one might or might not want to participate in the research. Must be organized and presented in a way that facilitates comprehension, not just a list of isolated facts
Key Information

• Take key pieces of information from the body of the consent form and move it to the very beginning of the form

• Any element in the consent form MAY be included in the key information section if it can increase the subject’s understanding and help with decision making

• If key information is relevant and necessary for comprehension in the main body of the informed consent, it should be repeated
Key Information Template

• About the research

• Taking part in this research study is voluntary

• Important Information
  • Why is this research being done?
  • What will happen to me during the study?
  • How long will I participate?
  • Will I benefit from the study?
  • Will taking part expose me to risks?
  • Do I have any other options besides taking part in this study?
  • Will I be paid to participate?
  • Will it cost me anything to participate?
Required Elements of Informed Consent

1. Statement that study involves research, purpose, duration, procedures, ID experimental
2. Reasonably foreseeable risks/discomforts
3. Reasonably expected benefits
4. Disclosure of alternative procedures or treatments
5. Describe how records will be held confidential
6. Explanation as to whether any compensation or medical treatments are available if injury occurs
7. Contact information
8. Statement that this is voluntary and can withdraw without any loss of benefits
Required New Elements of Informed Consent

9) One of the following statements about any research involving the collection of identifiable private information or identifiable biospecimens:

- Identifiers might be removed from the information/biospecimens and could be used for future research or distributed to another investigator for future studies without additional informed consent, OR

- Even if identifiers are removed, information/biospecimens will not be used or distributed for future research studies
Additional Elements of Informed Consent

• 1) Statement that the treatment/procedure may involve risks to the subject that are currently unforeseeable

• 2) Anticipated circumstances where participation may be terminated by the investigator

• 3) Any additional costs that may result from participation

• 4) Consequences of withdrawal

• 5) Statement that significant new findings during course of research that may relate to willingness to continue participation will be provided to the subject

• 6) Approximate number of subjects involved
New Additional Elements of Informed Consent

7) Statement that biospecimens (even if ID removed) may be used for commercial profit and whether the subject will or will not share in this commercial profit.

8) Statement regarding whether clinically relevant research results, including individual results, will be disclosed to subjects, and if so, under what conditions.

9) For research with biospecimens, whether the research will or might include whole genome sequencing.
Revised Informed Consent Template

• Now available on our website (Templates & Forms): http://www.cookcountyhhs.org/educationresearch/medical-research/office-of-research-regulatory-affairs/

• Not all sections apply to all research. Make sure to remove the greyed out sections if they do not apply.

• Do not have to use the template. There is a checklist at the beginning to ensure your meet the requirements.
Waiver/Alteration of Informed Consent

• If **general waiver**, have new extra requirement:

  • Research no more than minimal risk;
  • Research can’t be practicably carried out without the waiver/alteration;
  • If using **identifiable private information or biospecimens**, the research can’t be practicably carried out without using such in an identifiable format;
  • Waiver will not adversely affect the rights and welfare of the subjects; **AND**
  • When appropriate, will provide additional pertinent information after participation
Posting of Clinical Trial Consent Form

• For each clinical trial conducted/supported by a Federal department or agency, one IRB approved consent form must be posted by the awardee or the Federal department/agency conducting the trial on a publically available Federal Web site that will be established after the study is closed to recruitment but no later than 60 days after the last study visit unless Federal department/agency determines it should not be made publicly available

• Doesn’t have to be final version of consent form, just an IRB approved version that was used to enroll subjects

• Proprietary/institutional redactions are allowed

• Goal is to increase transparency and allow for development of more informative consent forms

We were told to stay tuned for updates...
Posting of Clinical Trial Consent Form

...and we got one!

- At this time, two publicly available federal websites that will satisfy the consent form posting requirement, as required by the revised Common Rule, have been identified:
  1. www.ClinicalTrials.gov

ClinicalTrials.gov is a database of privately and publicly funded clinical studies conducted around the world.
Posting of Clinical Trial Consent Form


- HHS and other Common Rule departments and agencies are developing instructions and other materials providing more information about this posting requirement.
- Additional federal websites that would satisfy the revised Common Rule’s clinical trial consent form posting requirement might be identified in the future.
New Templates Available

- New Parental Informed Consent Template: Use when parents/guardians will be consenting for minors.
- New Child Assent Template: Use when parents/guardians will consent for minors and the minors are capable of providing assent.
- New combination Adult Informed Consent/HIPAA Template
  - Submit 1 form instead of 2!
  - HIPAA language can be deleted if not applicable to your study
Translations

• Full translations of consent forms are not required unless substantial numbers of non-English speakers are anticipated during recruitment.
• If full translations are not available, an interpreter may translate the English consent verbally.
  • The interpreter would then sign the English consent form as well as the short form consent written in the participant’s own language.
  • Short form documents are now available in Spanish, Polish, and Mandarin (Chinese).
• For help with translation services, contact Stacey.
Electronic Consent

• 2018 Common Rule states that “informed consent shall be documented by the use of a written informed consent form approved by the IRB and signed (including in an electronic format) by the subject…”

• Electronic Informed Consent (eIC) can be done at the study site or remotely

• Potential Benefits of eIC
  • Participants do not have to worry about travel costs/time
  • Participants review the consent and discuss with family members at their leisure
  • Might contribute to higher enrollment
  • Interactive functionality can improve comprehension
Electronic Consent

• Potential challenges of eIC
  • Implementation costs
  • Fraudulent participation
• Studies that pose more than minimal risk or involve transmission of sensitive information should confirm identities of participants. FDA-regulated studies require this.
  • State-issued ID
  • Personal questions
Electronic Consent

- Two ways to consent using eIC
  1) Full “signatures” – These constitute “signatures” and do not require a waiver of documentation of informed consent.
     - Attaching a scanned handwritten signature
     - Signing with a stylus in an electronic document
  2) Anything other than a full signature – These do not constitute “signatures” and require a waiver of documentation of informed consent.
     - Checking “I agree” box
Electronic Consent

• When IRB reviews the study, it will consider:
  1. How the electronic signature is being created
  2. Whether the signature can be shown to be legitimate
  3. How the researcher plans to provide a copy of the consent form to the participant

• SOPs for eIC are in the works, so stay tuned!
Key Information Exercise

- Apple Heart Study Consent
- Template for Key Information
- Pull information from the consent to make a key information section
BACKGROUND AND PURPOSE

You are being asked to participate in this research study because you are an adult 22 years of age or older, reside in the United States, use an Apple Watch (Series 1 or later with watchOS 4.0 or later) paired to an iPhone (5s or later with iOS 11.0 or later), are comfortable understanding, reading, writing, and speaking in English while using your Apple Watch and iPhone, and have downloaded and installed Apple Heart Study App on your iPhone and Apple Watch.

The purpose of this research study is to evaluate if the Apple Heart Study App can identify irregular heart rhythms. The Apple Heart Study App is a mobile medical app developed by Apple Inc. that analyzes heart rate (HR) and beat-to-beat calculation (tachogram) data captured by the Apple Watch Photoplethysmography (PPG) sensor. The Apple Heart Study App uses this data to identify pulse irregularities consistent with heart rhythm abnormalities including, but not limited to, atrial fibrillation (AF). If a sustained heart rhythm abnormality is identified by the Apple Heart Study App algorithm, you will receive a notification on your Apple Watch and within the Apple Heart Study App on your iPhone. This study is not to provide any treatment, but rather to collect information for research purposes.
I. The Apple Heart Study App identifies pulse irregularities consistent with a heart rhythm abnormality and you receive a notification:

You will receive a notification on your Apple Watch and within the Apple Heart Study App on your iPhone the first time an irregular heart rhythm has been identified. You will not receive any further notifications for any additional identified irregularities. **If you experience any urgent concerns about your health when you receive the notification, please call 911.** The Apple Heart Study App will provide a button to connect with an Online Care Group (as defined under Who May Use or Disclose the Information section) clinician via the telemedicine technology services company, American Well Corporation (together with Online Care Group, the “Study Telehealth Provider”). You will have the option to conduct this call as either a video or voice call. The Study Telehealth Provider will further explain the notification information and tell you the next steps you need to take as part of the research study. You are expected to connect with the Study Telehealth Provider within 14 days of receiving the notification. If you do not contact the Study Telehealth Provider within 24 hours, you will receive daily reminder notifications for the next 14 days.

During your first video or voice call (Study Visit #1), the Study Telehealth Provider will ask you a few screening questions to collect information about you and to confirm that you do not have a medical emergency. If the Study Telehealth Provider concludes that you have a medical emergency, the Study Telehealth Provider will follow its emergency protocol and either instruct you and/or a family member, if available, to call emergency medical services (EMS) or will call on your behalf if you and/or a family member are unable to contact EMS. If the Study Telehealth Provider concludes that you do not have an emergency, the Study Telehealth Provider will invite you to wear a small, discreet, body-worn patch sensor device called an ePatch. The Study Telehealth Provider will provide you information about the ePatch and answer your questions. ePatch is commonly used by doctors to monitor a patient’s heart rhythm. ePatch adheres to your chest and continuously records your heart rhythm for up to 7 days. The Study Telehealth Provider will order shipment of the ePatch to your mailing address at no cost to you. Within 5 business days of Study Visit #1, you will receive the ePatch in the mail along with detailed instructions on how to use the ePatch. You
are expected to wear the ePatch for up to 7 days and return it to the ePatch manufacturer (BioTelemetry, Inc.) using the supplied prepaid mailer.

Data from your ePatch will be generated as a report. If this report concludes that you have a serious heart rhythm abnormality that needs immediate attention, then BioTelemetry will call you and recommend that you seek emergency care. A Study Telehealth Provider will be available to answer any questions. Otherwise, you will receive an e-mail with instructions on how to contact the Study Telehealth Provider to discuss your report findings with you. When you connect with the Study Telehealth Provider (Study Visit #2), they may provide you with a recommendation to seek further medical care from your own health care provider. The report and visit summary will be made available to you and your own physician or healthcare provider for further assessment or treatment purposes if during Study Visit #1 you provide the Study Telehealth Provider information of your physician and permission to send your physician a copy of the report.

Three months after receiving the notification, you will be asked to complete a Patient Reported Outcome (PRO) survey within the Apple Heart Study App on your iPhone. This survey will ask you questions about your recent medical history and will take approximately 10 minutes to answer for most people. You may skip any questions that you do not wish to answer. You will also be invited to complete an End-of-Study (EOS) survey. This EOS survey will be available via a link in the app to a website in early January 2019 and you will have until January 31, 2019, to complete this survey.

II. The Apple Heart Study App does not identify any pulse irregularities consistent with heart rhythm abnormalities, and you do not receive a notification:

If the Apple Heart Study App does not identify any pulse irregularities consistent with heart rhythm abnormalities, you will receive a notification inviting you to complete an EOS survey as early as September 2018. This EOS survey will be available via a link in the app to a website and you will have until January 31, 2019, to complete this survey. The survey will ask you questions about your medical history during your participation time in the study, and will take approximately 10 minutes to answer for most people. You may skip any questions that you do not wish to answer.
NUMBER OF SUBJECTS / LENGTH OF PARTICIPATION

Approximately 500,000 participants may participate in this study. Your participation in this study will last until approximately January 31, 2019, but data gathered from you in this study will be used and analyzed for a longer period of time. The Apple Heart Study App will continue collecting data from you until January 31, 2019, unless you withdraw from the study.

or you delete the Apple Heart Study App. Data already collected from you will continue to be analyzed after your participation ends or if you withdraw from the study. If you delete the Apple Heart Study App, you will not be withdrawn from the study.
BENEFITS

This study is for research purposes only. There is no direct benefit to you from your participation in the study. Information learned from the study may help other people in the future.

This study is not a substitute for medical advice you get from your doctor or other healthcare provider on your health status. You should continue to see your regular doctor and keep any scheduled physical exams, cardiac screening procedures, and medical appointments.

The Apple Heart Study App does not guarantee identification of a heart rhythm abnormality, so you should not rely on the Apple Heart Study App for your health status. Always seek professional medical advice whenever you need it. If you have any questions about your health or about a specific medical condition, always contact your physician or healthcare provider. In case of medical emergency, call your doctor or dial 911 immediately.
RISK/SIDE EFFECTS AND/OR DISCOMFORT

There may be possible risks, side effects and discomforts associated with your study

participation.

- There are non-physical risks associated with taking part in this study, such as the risk of **accidental disclosure of your study data**. The study team will make every reasonable effort to keep your data safe and protect the confidentiality of your data, including storing study data in a secure system; however, total confidentiality cannot be guaranteed. It is possible that there could be unauthorized access to or a breach of the systems where your data is stored.
- If you receive a notification of an irregular heart rhythm, you may receive an ePatch to wear and the ePatch may cause **itching and/or skin irritation**. You may have to shave to apply the ePatch.
- The Apple Watch may also cause **rash** on the wrist or pressure artifacts (sores)
- Your participation in this study may provide information about your health directly to you. This may make you want to access the healthcare system more often to seek input from a physician on your health status, and that may **cost you money**.
- Use of the Apple Heart Study App for this study may use your iPhone’s **data plan**. However, you can decide to use the Apple Heart Study App only on Wi-Fi by managing the Apple Heart Study App settings, preventing the Apple Heart Study App from using your data plan.
- The Apple Heart Study App may identify heart rhythm abnormalities and provide you a notification of such heart rhythm abnormalities even if you do not have heart rhythm abnormalities. In that situation, you may be exposed to **undue stress and anxiety** and it may cost you money if you seek medical care outside of the study.
- There may be risks associated with the use of the services of the Study Telehealth Provider.
- There could be other risks, which are yet unknown. However, we will contact you if there is a change in risk profile of this study that we think would make you reconsider your decision to be in the study.
ALTERNATIVE TO PARTICIPATION

This study is for research purposes only. There is no alternative treatment to this study. The only alternative is to not to participate in this study.

NEW FINDINGS

Any new important information that is discovered during the study and which may influence your willingness to continue participation in the study will be made available to you.

COMPENSATION FOR PARTICIPATION

You will not receive any monetary compensation for your participation in this study.
COSTS

Apple Inc. is providing financial support for this study. Dr. Marco Perez is a paid consultant to Apple Inc.

There will be no costs to you for any of the testing done as part of this research study. The study-related procedures, study-related encounters with the Study Telehealth Provider Team (if required), and the ePatch will be provided at no charge to you or your insurance company. There may be an indirect cost to participate in this study because the data collected for this study and transmitted to the study team and Study Sponsor will count against your iPhone’s data plan. A 10-minute study video visit will use approximately 20MB of your phone data when conducted via 3G/4G (rather than Wi-Fi).

Medical care and services you decide to use because of study findings that are not part of this study (for example, emergency department visits or any subsequent treatment, whether recommended by the Study Telehealth Provider or not), may require co-payments if your insurance requires co-payment or may require you to bear the expenses, if you do not have insurance. The study will not be responsible for any of these costs.
INFORMED CONSENT STATEMENT FOR RESEARCH

Apple Heart Study: Assessment of Wristwatch-Based Photoplethysmography to Identify Cardiac Arrhythmias

Sponsor: Apple Inc.
Protocol Number: Apple Heart Study

About this research
You are being asked to participate in a research study. Scientists do research to answer important questions which might help change or improve the way we do things in the future.

Taking part in this research study is voluntary
You may choose not to take part in the study or may choose to leave the study at any time. Deciding not to participate, or deciding to leave the study later, will not result in any penalty or loss of benefits to which you are entitled and will not affect your relationship with Cook County Health & Hospitals System.

This consent form will give you information about the study to help you decide whether you want to participate. Please read this form, and ask any questions you have, before agreeing to be in the study. You make take this description home and discuss it with your family or friends to help you decide.
Important Information
This information gives you an overview of the research. More information about these topics may be found in the pages that follow.

1. Why is this research being done?
The purpose of this research study is to evaluate if the Apple Heart Study App can identify irregular heart rhythms.

2. What will happen to me during the study?
If a pulse irregularity has been identified, you will receive a notification on your Apple Watch and a button to connect with an Online Care Group will be provided. You are expected to connect with the provider within 14 days of receiving the notification. The provider will ask you a few screening questions and invite you to wear an ePatch on your chest to
record your heart rhythm for up to 7 days. If it is determined you have a serious heart rhythm abnormality, you will be called and recommended to seek emergency care. Three months after the notification, you will be asked to complete a 10 minute survey.

If no pulse irregularity has been identified, you will receive a notification to complete a 10 minute survey about your medical history during participation time in the study.

3. How long will I participate?
Your participation in this study will last until approximately January 31, 2019, but data gathered from you in this study will be used and analyzed for a longer period of time.

4. Will I benefit from the study?
This study is for research purposes only. There is no direct benefit to you from your participation in the study.
5. **Will taking part expose me to risks?**
   Taking part of this study may expose you to possible risks. The Apple Watch may cause a rash or sores on your wrist. The ePatch may cause itching and/or skin irritation. If the App mistakenly identifies heart rhythm abnormalities, you may be exposed to undue stress and anxiety. Information learned may cause you to seek additional medical care that may cost you money. Use of the App may use your iPhone’s data plan if you have not enabled Wi-Fi.

6. **Do I have other options besides taking part in this study?**
   This study is for research purposes only. There is no alternative treatment. Therefore, the only alternative is to not take part in the study.

7. **Will I be paid to participate?**
   You will not receive any payment for taking part in this study.

8. **Will it cost me anything to participate?**
   There is no cost to you for study-related procedures or study-related encounters with the Study Telehealth Provider Team (if needed). The ePatch will be provided at no cost. Transmitting data to the study team may count against your data plan if not using WiFi. Seeking medical care for study findings that are not part of this study may cost you money.
The End