Survey on International Status of Informed Consent for Human Subjects Involved in Acute Resuscitation Research

This survey is being conducted by a multinational team of investigators to determine the regulatory status and acceptability in the international community of acute resuscitation research for which the human subjects are unable to provide informed consent.

Completion of this survey is voluntary, but it is hoped that as many persons as possible will respond so that we may gain a better understanding of the current environment for international resuscitation research. While you are asked to identify yourself and to provide contact information so that we may follow-up responses to this survey, no respondents will be identified in publications or in any public documents resulting from this survey.

Please respond to the survey in English, French, Spanish, or Arabic if possible. Questions regarding the survey or additional comments can be sent by email to Professor Roger J. Lewis, MD, PhD at roger@emedharbor.edu.

Thank you for your help with this important project.

Identifying Information (please write clearly throughout)

Name: _____
Last/Family Name First/Given Name Middle Initial

Postal Address: _____

_____

_____

_____

Email Address: _____

Country of Practice: _____

1. Primary Professional Activity (Check one or more responses):

- ☐ Emergency physician in an academic or teaching hospital
- ☐ Emergency physician in a public or government hospital
- ☐ Emergency physician in a private hospital
- ☐ Emergency physician in a non-hospital setting
- ☐ Non-emergency physician in an academic or teaching hospital
- ☐ Non-emergency physician in a public or government hospital
- ☐ Non-emergency physician in a private hospital
- ☐ Non-emergency physician in a non-hospital setting
- ☐ Emergency medical services (EMS) physician
- ☐ Nurse, emergency
- ☐ Nurse, other setting
- ☐ Other medical specialist
- ☐ Other (please explain): _____

_____

_____

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Characteristics of Your Institution

2. Does your institution or hospital have an ethics committee, or an equivalent committee for the protection of human subjects, that reviews clinical research trials?
☐ Yes ☐ No ☐ Unsure ☐ Other: _____

3. Is approval by an ethics committee required at your institution prior to starting a clinical trial?
☐ Yes ☐ No ☐ Unsure ☐ Other: _____

4. To the best of your knowledge, has your ethics committee ever allowed a study to be conducted at your institution in which patients were incapacitated and unable to provide informed consent?
☐ Yes ☐ No ☐ Unsure ☐ Other: _____

5. What types of personnel serve on your ethics committee (check all that apply)?
☐ Not applicable, there is no ethics committee at my institution
☐ Physicians ☐ Nurses ☐ Lay personnel or general public
☐ Hospital administrators ☐ Religious leaders
☐ Other: _____ ☐ Other: _____

Regulatory Environment of Your Country for Resuscitation Research

The *World Medical Association's Declaration of Helsinki: Ethical Principles for Medical Research Involving Human Subjects* states (paragraph 26), in part, "research on individuals from whom it is not possible to obtain consent…should only be done if the physical/mental condition that prevents obtaining informed consent is a necessary characteristic of the research population." The paragraph goes on to state that "the protocol should state that consent to remain in the research should be obtained as soon as possible from the individual or a legally authorized surrogate."

6. Does your country generally adhere to the requirements of the Declaration of Helsinki?
☐ Yes ☐ No ☐ Unsure ☐ Other: _____

7. Were you aware that the Declaration of Helsinki included a provision for emergency research when the patient is unable to give consent and no surrogate is available?
☐ Yes ☐ No ☐ Unsure ☐ Other: _____

In April 2001, a *European Union Directive* was issued which included standards for the conduct of clinical trials and the protection of human subjects. The Directive only allows the participation of an incapacitated human subject in clinical research if "the informed consent of a legal representative has been obtained" [Article 5, paragraph (a)]. The Directive includes no provision for emergency research in which no surrogate or representative is available, even when the research has the potential to directly benefit the individual subject. A number of member countries of the European Union have enacted legislation to implement the European Union Directive.

8. Is your country a member of the European Union?
☐ Yes ☐ No ☐ Unsure ☐ Other: _____

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Regulatory Environment of Your Country for Resuscitation Research (Continued)

9. Are you familiar with the European Union Directive of April 2001 setting standards for the conduct of clinical trials in member nations?

☐ Yes, I am aware of the directive, and am familiar with its implications for emergency and resuscitation research.
☐ Yes, I am aware of the directive, but was not familiar with its implications for emergency and resuscitation research.
☐ No, I was not aware of the directive.

10. Has your country enacted legislation to implement the European Directive?

☐ Yes ☐ No ☐ Unsure ☐ Other: _____

11. Is such legislation planned in your country?

☐ Yes ☐ No ☐ Unsure ☐ Other: _____

12. If legislation to implement the European Directive has been enacted in your country, does it (choose the answer that is closest to your opinion)?

☐ Not applicable, as no such legislation has been passed.
☐ Completely prevent emergency and resuscitation research.
☐ Permit emergency and resuscitation research after appropriate review.
☐ Other: _____
☐ Do not know.

Prior to implementing the European Directive, many members of the European Union had regulations which generally allowed the conduct of emergency resuscitation research in which subjects are enrolled without consent. These regulations often required that the research had the potential to directly benefit the individual subject, that the research could not be conducted on a population able to provide consent or using legally authorized surrogates, and that the research had been evaluated and approved by an appropriate ethics committee.

13. Prior to the European Directive, was such resuscitation research generally allowed in your country when appropriately planned, reviewed, and approved?

☐ Yes ☐ No ☐ Unsure ☐ Other: _____

14. Currently, is such research generally allowed in your country, when appropriately planned, reviewed, and approved?

☐ Yes ☐ No ☐ Unsure ☐ Other: _____

15. Does your country have, in force, *specific* regulations that allow such research to be conducted?

☐ Yes ☐ No ☐ Unsure ☐ Other: _____

16. Do/Does your national medical society/societies have specific recommendations regarding the conduct of research in critical situations in which consent cannot be obtained?

☐ Yes ☐ No ☐ Unsure ☐ Other: _____

If yes, what is/are the name(s) of the society/societies?_____

Regulatory Environment of Your Country for Resuscitation Research (Continued)

17. Please provide below any additional information which you believe might be useful to us regarding regulations allowing or restricting resuscitation research on human subjects in your country:

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Comparisons with United States Regulations

In 1996, the United States Food and Drug Administration (FDA) issued regulations that specifically allow the conduct of emergency in resuscitation research in which the patient is unable to provide informed consent, but only when the research could not otherwise be conducted and there is the potential of direct benefit to the individual subject.

18. Are you familiar with the US FDA regulations that govern the conduct of emergency and resuscitation research in the US?

☐ Yes, I am aware of the regulations, and am familiar with their implications for emergency and resuscitation research.
☐ Yes, I am aware of the regulations, but was not familiar with their implications for emergency and resuscitation research.
☐ No, I was not aware of the regulations.

19. Do you believe the European Union Directive is more restrictive or less restrictive than the current United States FDA regulations? ("More restrictive" means that it does not allow some research that would be permitted in the US.)

☐ European Union Directive is more restrictive.
☐ European Union Directive and the United States FDA regulations are equally restrictive.
☐ European Union Directive is less restrictive.
☐ Unsure (or not aware of one or both documents).

20. Do you believe the Declaration of Helsinki is more restrictive or less restrictive than the current United States FDA regulations? ("More restrictive" means that it does not allow some research that would be permitted in the US.)

☐ Declaration of Helsinki is more restrictive.
☐ Declaration of Helsinki and the United States FDA regulations are equally restrictive.
☐ Declaration of Helsinki is less restrictive.
☐ Unsure (or not aware of one or both documents).

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Your Opinions Regarding Informed Consent in Acute Resuscitation Research

On one end of the debate is the need to protect the rights of research subjects, and the other end focuses on the need to freely conduct scientific research in order to improve patient care. Please indicate where on this spectrum you feel the following documents fall:

21. The Declaration of Helsinki, when applied as written:
☐ Is too restrictive, preventing needed research.
☐ Provides adequate protections for research subjects, while allowing research to proceed.
☐ Does not protect research subjects adequately.
☐ Unsure, or don't know enough about this document to be able to comment.

22. The 2001 European Union Directive, when applied as written:
☐ Is too restrictive, preventing needed research.
☐ Provides adequate protections for research subjects, while allowing research to proceed.
☐ Does not protect research subjects adequately.
☐ Unsure, or don't know enough about this document to be able to comment.

23. The United States FDA regulations, when applied as written:
☐ Are too restrictive, preventing needed research.
☐ Provide adequate protections for research subjects, while allowing research to proceed.
☐ Do not protect research subjects adequately.
☐ Unsure, or don't know enough about this document to be able to comment.

24. The applicable laws, regulations, or other guidance used in my nation:
☐ Are too restrictive, preventing needed research.
☐ Provide adequate protections for research subjects, while allowing research to proceed.
☐ Do not protect research subjects adequately.
☐ Unsure, or don't know enough to be able to comment.

Example Clinical Trial

Please consider the following situation. A new drug is available that has improved the success rate of defibrillation for cardiopulmonary arrest in an animal study, improving the rate of conversion to normal sinus rhythm to 25% of the time, instead of 10% of the time when a placebo is given. The drug is inexpensive and has a half-life of less than one minute, with no known side effects. The manufacturer wants to study whether the drug can improve defibrillation success rates in the out-of-hospital setting in a randomized, controlled trial. Assume that all other regulatory and ethical requirements (such as confidentiality of patient data) are met in the proposed study. In your opinion:

25. Would this study would be permissible in your country? ☐ Yes ☐ No ☐ Unsure
26. Would this study would be permissible under the 2001 European Union Directive? ☐ Yes ☐ No ☐ Unsure
27. Would this study would be permissible under the Declaration of Helsinki? ☐ Yes ☐ No ☐ Unsure
28. Would this study would be permissible in the United States? ☐ Yes ☐ No ☐ Unsure

Please Tell Us a Little About Your Own Research Experience

29. What type of research with human subjects, if any, have you performed, either in the role of a principal investigator or as a collaborator (please check all that apply)?

☐ None, I have never conducted or aided others in conducting research with human subjects.

☐ I have performed retrospective or similar research that does not require prospectively enrolling subjects or the use of informed consent.
☐ I have performed prospective clinical research in which subjects provided informed consent prior to participation.
☐ I have performed clinical research in which patients were too ill to provide prospective consent, but obtained consent from a family member or other surrogate or representative.
☐ I have performed prospective research in which subjects were too ill to provide informed consent and no consent was obtained prior to their enrollment.

☐ I have performed prospective clinical research in the outpatient setting.
☐ I have performed prospective clinical research in the emergency or accident department setting.
☐ I have performed clinical research in the inpatient or hospital setting.
☐ I have performed clinical research in the out-of-hospital (EMS) setting.

☐ I have performed research that is designed by and supported by a pharmaceutical or medical device manufacturer.
☐ I have performed research that was designed by a physician investigators not affiliated with a pharmaceutical or medical device manufacturer.
☐ I have performed prospective clinical research that I designed myself.

☐ I have performed clinical research testing on pharmaceutical agents.
☐ I have performed clinical research testing in medical device.

30. What training, if any, have you received regarding the ethical conduct of research with human subjects (please check all that apply)?

☐ I have received no formal training on the ethical conduct of human subjects research.
☐ I have received general guidance regarding the ethical conduct of research during medical training.
☐ I have attended lectures or courses on the ethical conduct of medical research.
☐ I have attended lectures or courses on the ethical conduct of research that specifically considered emergency settings in which subjects are unable to provide informed consent.
☐ Other: _____

Additional information about yourself

31. How long have you been involved in the care of emergency or accident victims?
Number of years _____

32. What year did you begin clinical practice? _____ ☐ Decline to Answer

33. What is your gender? ☐ Male ☐ Female ☐ Decline to answer

34. What year were you born? _____ ☐ Decline to answer

Consent for Follow Up

35. May we contact you if we need additional information or clarification of your responses?
☐ Yes ☐ No

If yes, what is the best way to reach you?
☐ Email ☐ Postal mail ☐ Other_____

36. What other information do you believe we should know about the environment for performing research on emergency care and resuscitation in your country?

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Thank you for your participation!