CALIFORNIA INSTITUTE FOR REGENERATIVE MEDICINE

12/3/13

To: ICOC
Fr: CIRM
Re: Consideration of regulatory amendments to the CIRM Medical and Ethical Standards

Action for ICOC Consideration:

Amended regulatory language (Attachment 1) so CIRM may proceed with rulemaking under the Administrative Procedure Act.

Background:

On 10/1/13, the Scientific and Medical Accountability Standards Working convened to consider section 100070 of CIRM's MES Regulations. This section establishes CIRM policy for the review of clinical trials involving cell-based products.

The existing regulation requires a stem cell research oversight (SCRO) committee to (1) review the scientific rational for the proposed cell transplantation trial and (2) evaluate the probable pattern and effects of differentiation and integration.

CIRM also requires clinical trial protocols to conform to the Federal Policy for the Protection of Human Subjects (the *Common Rule*). Under the *Common Rule*, an Institutional Review Board (IRB) is required to consider the risk and benefit to the research subject (patient) of any clinical trail. Therefore, the IRB must also consider the scientific rational for clinical trials and evaluate the effects of cell transplantation.

In July 2013, CIRM convened a workshop to consider the review and oversight of clinical trials. At this workshop, representatives from academic medical centers reported that the IRB has primary responsibility for risk and benefit considerations for all clinical research. Accordingly, many institutions reported concentrating their expert capacity for safety evaluation with their IRB. For cell-based clinical trials, members of the SCRO committee may participate in IRB review, but the IRB would always review and approval all clinical protocols.

SWG Recommendation:

The SWG recognized the role of the IRB in performing review and oversight of clinical research. There was unanimous consensus among the SWG membership that IRBs, with appropriate expertise, can effectively review and monitor clinical research.

Therefore, the SWG recommended that the ICOC consider amendments to section 100070 of CIRM's MES Regulations to allow the grantee institution to designate either the SCRO or IRB to (1) review scientific rational for the proposed cell transplantation trial and (2) evaluate the probable pattern and effects of differentiation and integration.

Attachment 1: Proposed Amendments to CIRM MES Regulations Sections 100070 Based on SWG Deliberations October 1, 2012

(f) CIRM-funded research introducing cells from covered stem cell lines into a live born human may not commence without SCRO committee or if the institution elects, an IRB, review and approval in writing. The designated SCRO or IRB committee may require that modification be made to proposed research or documentation of compliance with the requirements of subdivision (f)(4) of this regulation as a condition of granting its approval. At a minimum, the SCRO committee or IRB shall require the investigator to confirm:

(1) Provide There is an acceptable scientific for rationale introducing stem cells into humans.

(2) Provide assurance that a All covered stem cell lines have been acceptably derived.

(3) Evaluate t The probable pattern and effects of differentiation and integration of the human cells into the human tissues have been evaluated.

(4) Provide documentation of c Compliance with any required review of the proposed research by an IRB, IACUC, IBC, SCRO or other mandated review.