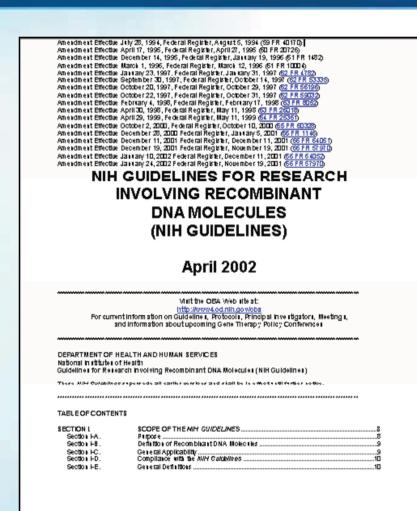


#### NIH Guidelines for Research Involving Recombinant DNA Molecules

- A scientificallyresponsive document that will continue to evolve
  - Have undergone multiple revisions since 1976
  - Latest version -April 2002



http://www4.od.nih.gov/oba/rac/guidelines/guidelines.html

#### Content of the NIH Guidelines

- Section I Scope
- Section II Safety Considerations
- Section III Types of Experiments
   Covered
- Section IV Roles and Responsibilities
- Appendices



#### **NIH Guidelines – Section I**

#### Scope

- Specifies practices for constructing and handling
  - Recombinant DNA molecules
  - Organisms and viruses containing recombinant DNA molecules

#### Definition

- Constructed outside living cells by joining natural or synthetic DNA segments to DNA molecules that can replicate in a living cell
- Molecules resulting from the replication of those described above



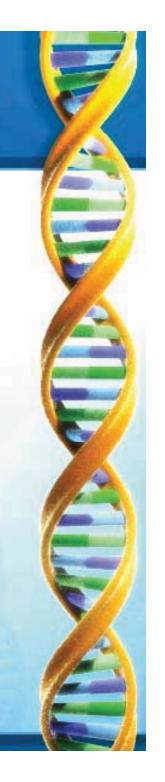
### The NIH Guidelines Apply to...

- Recombinant DNA research that is
  - Funded by the NIH
  - Performed at or sponsored by an institution that receives any NIH funding for recombinant DNA research
- Rationale: For biosafety to be meaningful, it has to be observed by all investigators at an institution

### Are the NIH Guidelines Optional?

"Guidelines" does not mean "optional"

 They are a term and condition of NIH funding for recombinant DNA research



### Are the NIH Guidelines optional?

- What are potential consequences of noncompliance with the NIH Guidelines?
  - suspension, limitation, or termination of NIH funds for recombinant DNA research at the institution, or
  - a requirement for prior NIH approval of any or all recombinant DNA projects at the institution.



### **Prescription versus Flexibility**

- Some matters are left to institutional discretion
- Flexibility is a two-sided coin
  - Accommodates institutional diversity and heterogeneity
  - Can create uncertainty about expectations



#### **NIH Guidelines – Section II**

Safety Considerations

4

Agents that are not associated with disease in healthy adult humans

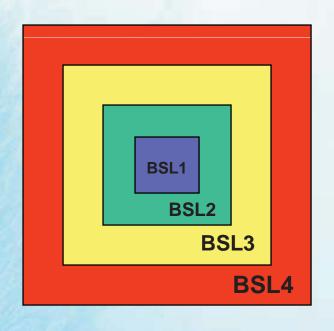
Agents that are associated with human disease which is rarely serious and for which preventive or therapeutic interventions are often available

Agents that are associated with serious or lethal human disease for which preventive or therapeutic interventions may be available (high individual risk but low community risk)

Agents that are likely to cause serious or lethal human disease for which preventive or therapeutic interventions are not usually available (high individual risk and high community risk)

#### NIH Guidelines - Section II

Safety Considerations



- Containment
  - Physical (Appendix G)
    - Practices
    - Equipment/facilities
  - Biological (Appendix I)
    - Survival
    - Transmission

# NIH Guidelines - Section III Levels of Review

Level of review	Example of recombinant DNA research involving animals	Relevant section(s) of the NIH Guidelines
IBC, RAC review, and NIH Director review and approval	Experiments that compromise the control of disease agents in medicine through deliberate transfer of a drug resistance trait	III-A
IBC approval and NIH review for containment determinations	Experiments conducted with a recombinant DNA modified restricted agent in a whole animal	III-B
IBC and IRB approval and NIH review before research participant enrollment	Not applicable	III-C
IBC approval before initiation	Creating stable germline alterations of an animal's genome, or testing viable rDNA modified microorganisms on whole animals, where BL-2 containment or greater is necessary	III-D
IBC notice at initiation	Creating stable germline alterations of rodents using recombinant DNA when these experiments require only BL-1 containment	III-E
Exempt from the NIH Guidelines. IBC registration not required if experiment not covered by Sections III-A, III-B, or III-C	Purchase or transfer of transgenic rodents	III-F

- Section III-D-4 Experiments Involving Whole Animals – IBC Approval <u>Before</u> Initiation
  - Experiments in which:
    - the animal's genome has been altered by stable introduction of rDNA into germline, or
    - rDNA modified microorganisms are tested on whole animals
    - BL2 or BL2-N or greater containment

- Section III-D-5 Experiments Involving Whole Plants – IBC Approval <u>Before</u> Initiation
  - Experiments in which:
    - Plants genetically engineered by rDNA methods, or
    - Plants are used with recombinant DNAmodified insects
    - Generally BL2-P through BL4-P, depending on risk

- Section III-E-3 Experiments Involving the Generation of Transgenic Rodents – IBC Notice <u>at</u> Initiation
  - Experiments in which:
    - Rodent's genome has been altered by stable introduction of rDNA into germline
    - BL1 containment is appropriate

- Section III-F (and Appendix C-VI) -Exempt Experiments
  - The purchase or transfer of rodents for experiments that require BL-1 containment
  - Further manipulations of these animals with recombinant DNA are not necessarily exempt from the NIH Guidelines

#### NIH Guidelines - Section IV

- Roles and Responsibilities
  - Institution
  - Institutional Biosafety Committee (IBC)
  - Biological Safety Officer (BSO)
  - Principal Investigator (PI)
  - NIH



# Institutional Responsibilities under the NIH Guidelines

#### The Institution shall:

- Establish and implement policies for the safe conduct of recombinant DNA research
- Establish an Institutional Biosafety Committee
- Assist and ensure compliance with the NIH Guidelines by investigators
- Ensure appropriate training for IBC members and staff,
   Pls, laboratory staff
- Determine necessity for health surveillance of personnel
- Report any significant problems or violations to OBA within 30 days

# PI Responsibilities under the NIH Guidelines

- The Principal Investigator shall (among other things):
  - Initiate or modify no recombinant DNA research which requires IBC approval until approval is granted
  - Determine whether experiments are covered under III-E and notify the IBC as appropriate
  - Be adequately trained in good microbiological techniques
  - Adhere to IBC emergency plans for spills and personnel contamination
  - Report any significant problems or violations to OBA within 30 days



### NIH Responsibilities under the NIH Guidelines

- NIH OBA (on behalf of the NIH Director)
  - Managing the RAC
  - Conducting and su pporting training of IBCs, BSOs, investigators, laboratory staff
  - Convening Scientific Symposia and Gene Therapy Policy Conferences
  - Review of:
    - Human gene transfer protocols
    - Certain basic recombinant DNA experiments
  - "Minor actions"
    - Changes not requiring approval by the NIH Director

### NIH Responsibilities under the NIH Guidelines

- Basic recombinant DNA experiments reviewed by NIH OBA
  - Deliberate transfer of drug resistance trait to microorganisms not known to acquire the trait naturally, if it could compromise disease control
  - Cloning of toxin molecules with LD<sub>50</sub> <100 ng/Kg bodyweight</li>
  - DNA from restricted agents transferred to nonpathogenic prokaryotes or lower eukaryotes
  - DNA from nonpathogenic prokaryotes or lower eukaryotes transferred to restricted agents
  - Use of infectious or defective restricted poxviruses in presence of helper virus

### NIH Guidelines - Appendices

Appendix A – Exemptions: Natural Exchangers

Appendix B – Classification of Etiologic Agents

Appendix C – Exemptions under IIIF

Appendix D – Major Actions

Appendix E – Certified Host-Vector Systems

Appendix F – Biosynthesis of Toxic Molecules

Appendix G – Physical Containment

Appendix H – Shipment

Appendix I – Biological Containment

### Organization of the NIH Guidelines

- Appendix J Biotechnology Research Subcommittee
- Appendix K Large Scale Physical Containment
- Appendix L Gene Therapy Policy Conferences
- Appendix M Points to Consider in Human
   Gene Transfer Research
- Appendix P Physical and Biological Containment: Plants
- Appendix Q Physical and Biological Containment: Animals

#### Appendix G

- Specifies details of containment and confinement for standard laboratory practices
- Defines Biosafety Level 1 through Biosafety Level 4
- Appropriate for animals that are worked with in a laboratory setting

- Appendix Q
  - Applies when research animals are of a size or have growth requirements that preclude laboratory containment
    - For example, cattle, swine, sheep, goats, horses, poultry, etc.



- Appendix Q (cont'd)
  - Addresses containment and confinement practices in animal facilities (BL1-N to BL4-N)
  - Applies to animals:
    - In which genome is altered by stable introduction of rDNA; or
    - On which rDNA-modified microorganisms are being tested

#### Primates - Appendix G or Q?

- Depends on the conditions under which the primates are being housed and used in experimentation
- Primates used in high-level, laboratory containment conditions; Appendix G applies
- In other settings, primates may be worked with in settings akin to those described in Appendix Q
- Professional judgment is key OBA can help!

- Appendix M
  - Applies to human gene transfer experiments
  - Includes many considerations related to preclinical studies with animals
  - Expedited safety reporting requirements amended to include specifically the reporting of animal data "that suggest a significant risk for human research participants."

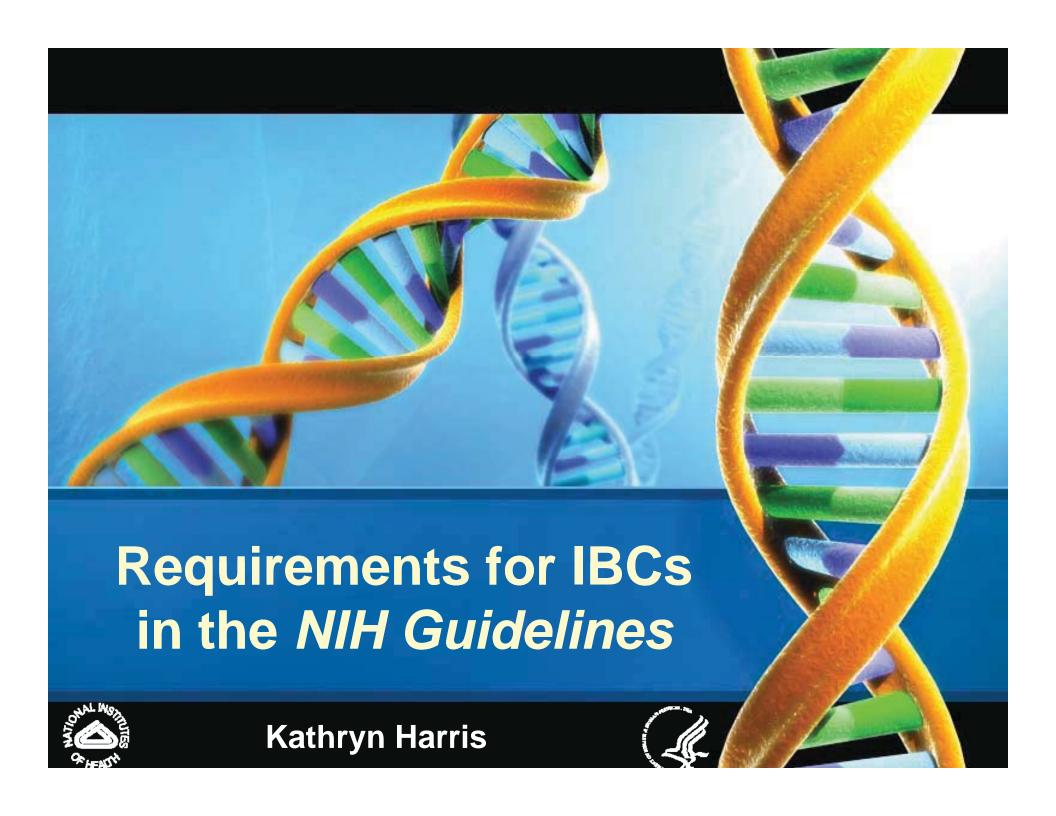
### **Good Judgment is Key!**

- "The NIH Guidelines will never be complete or final since all conceivable experiments involving recombinant DNA cannot be foreseen. Therefore, it is the responsibility of the institution and those associated with it to adhere to the intent of the NIH Guidelines as well as to the specifics."
  - Good judgment is key
  - OBA can help

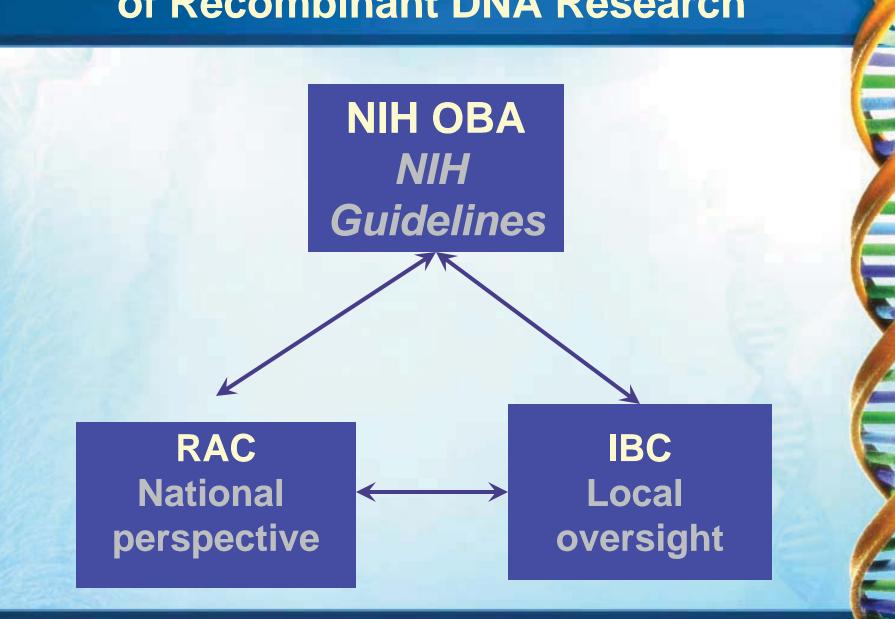
#### **Morning Session: The Fundamentals**

- Introduction to the National Institutes of Health Office of Biotechnology Activities
- Overview of the Current NIH Guidelines for Research Involving Recombinant DNA Molecules
- Requirements for IBCs in the NIH Guidelines
- Open Forum
- Break
- Role of the Recombinant DNA Advisory
   Committee and the Protocol Review Process
- Case Studies





## IBCs and NIH - Partners in the Oversight of Recombinant DNA Research



### **IBCs and NIH OBA**

- IBCs are the key institutional component of a national system of oversight
- IBCs are "sentinels" at the local level, identifying new safety and policy issues for NIH OBA and RAC consideration

### **Institutional Biosafety Committees**

- Established specifically for the review of recombinant DNA research
- Often review other research with biohazardous risks
  - Infectious agents, carcinogens
  - Broader purview is a matter of institutional discretion

## Assembling an IBC

#### Membership

- No fewer than 5 individuals
- Appropriate recombinant DNA expertise collectively
- Plant and animal experts, biosafety officer as appropriate
- Expertise in assessment<sub>o</sub> f<sub>r</sub> isk to environment and public health
- At least two members not affiliated with the institution

## Assembling an IBC

- Additional expertise
  - Biological safety, and physical containment
  - Knowledge of institutional commitments and policies, applicable law, professional standards, community attitudes, and environment
  - Laboratory technical staff (recommended)

## Assembling an IBC

### Plant Expert

- Expertise in plant, plant pathogen or plant pest containment principles when experiments utilizing Appendix P are being conducted
- Greenhouse Experiments plants are of a size, number of have growth requirements that preclude the use of laboratory containment conditions (Appendix G)



- Animal Expert
  - Expertise in animal containment principles when experiments utilizing Appendix Q are being conducted

- Biological Safety Officer
  - BSO must be appointed and made a member of the IBC if research is:
    - Large scale (>10 L)
    - BL-3 or BL-4

#### The BSO's duties include:

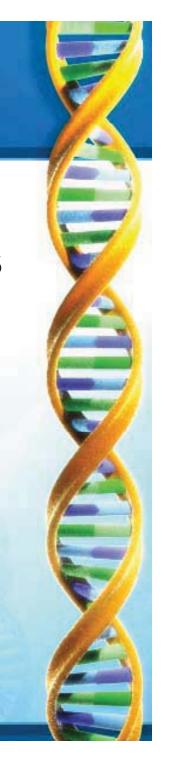
- Periodic inspection of labs
- Reporting to the IBC and institution of any problems, violations, research-related accidents or illnesses
- Developing emergency plans for handling accidental spills and personnel contamination
- Advice on lab security
- Technical advice to PIs and IBCs on research safety procedures



- Non-institutional members Who are they?
  - Representatives of community interests with respect to health and protection of the environment
  - E.g., officials of state or local public health or environmental authorities, local government bodies, persons with medical, occupational, or environmental expertise
  - They can also be the individuals who "represent community attitudes"

## Staffing the IBC

- Not prescribed in the NIH Guidelines
  - IBC Administrator
  - Biological Safety Officer
  - Compliance Officer
  - Manager of Environmental Health and Safety
  - Others



## Ad hoc Consultants

 Use when reviewing research outside the expertise of your members.



## Registering an IBC

- Register the IBC with OBA and file annual membership updates
  - A roster of IBC members
    - Clearly indicate chair, contact person, and special expertise as appropriate (BSO, animal, plant, human gene transfer)
  - Biographical sketches of all members

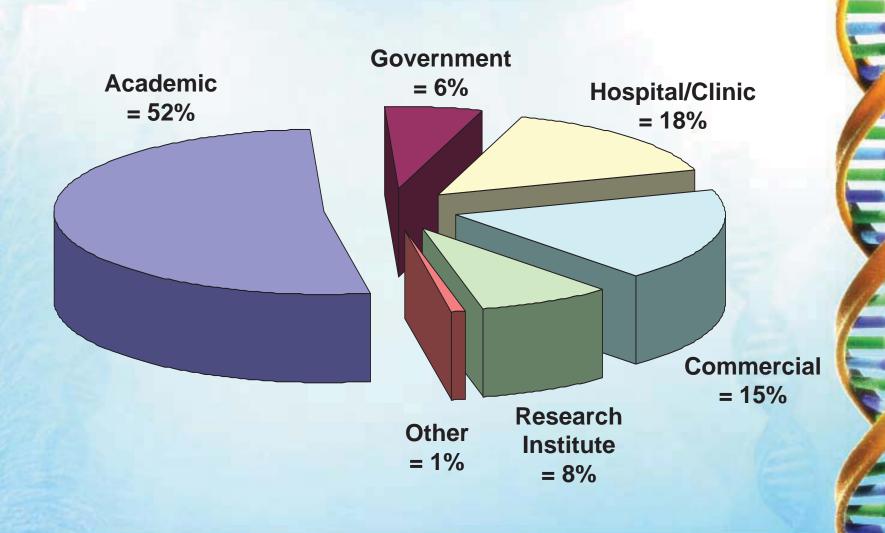


## Registering an IBC

- Purpose of registration and annual membership updates
  - Provides assurance of local review of biosafety risks
  - Allows OBA to see that IBC expertise consistent with the NIH Guidelines
  - Indicates institutional point of contact
  - Provides census of the field: where recombinant DNA research being conducted



## IBCs Registered with the NIH OBA March 2005



- In a nutshell, what must IBCs review?
  - Recombinant DNA research for conformity with the NIH Guidelines
  - Potential risk to environment and public health



- What do IBCs assess in reviewing recombinant DNA research?
  - Containment levels per NIH Guidelines
  - Adequacy of facilities, SOPs, PI and lab personnel training
  - Institutional and investigator compliance; e.g., adverse event reports



- In basic and preclinical research, IBCs have authority to:
  - Lower containment levels for certain experiments in which DNA from Risk Group 2-4 is cloned in non-pathogenic organisms
  - Set containment levels for experiments involving whole plants and animals
  - Review periodically institutional compliance with NIH Guidelines
  - Adopt emergency plans covering spills, contamination, other accidents

- In human gene transfer research, IBCs must also ensure:
  - No participant enrolled until RAC review, IBC and IRB approval obtained
  - Issues raised by RAC in public review are considered
  - Final IBC approval occurs only <u>after</u> RAC review
  - Compliance with surveillance, data reporting, and adverse event reporting

- The IBC may not:
  - Authorize initiation of rDNA experiments not explicitly covered by the NIH Guidelines until NIH (with the advice of the RAC when required) establishes the containment requirement.

## **IBCs and Exempt Research**

Do IBCs determine what research is exempt?

Does the PI?

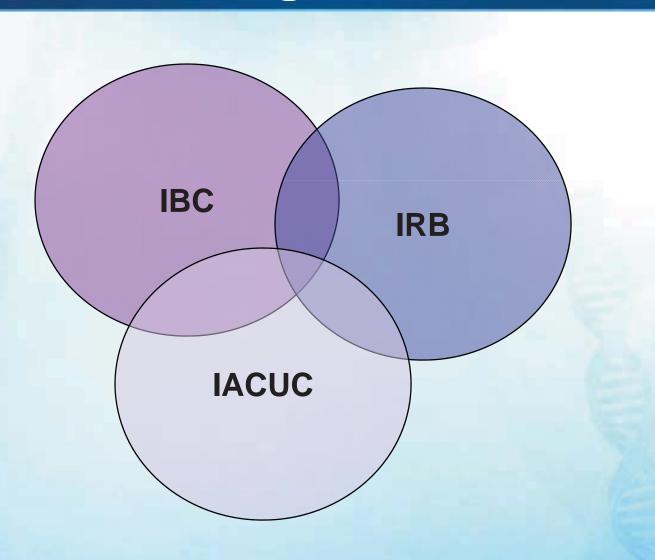
- A matter of institutional policy
- IBC may wish to designate member, chair, or BSO as first line of review to make determinations about what is exempt and what requires full review
- NIH OBA can help with determinations



### **Current Issues Concerning IBCs**

- How should IBCs work with other institutional oversight committees?
- How often should IBCs meet? What constitutes a meeting? Can we use an expedited review process?
- What do we need to record in minutes? How must we provide access to minutes?

# IBCs and Other Research Oversight Committees



## IBCs and Other Research Oversight Committees

- How should IBCs work with other institutional oversight committees?
  - Not prescribed in the NIH Guidelines
  - Institutions should determine best way for these committees to interact and share information

## **IBCs and IACUCs Animal Research**

- Joint purview, and ideally collaborative review, over certain types of research
  - Transgenic or cloned animals
  - Use of recombinant DNA molecules in animals
  - Pre-clinical studies and data
     assessment for human gene transfer
     protocols

## IBC and IACUC Review of Animal Research Utilizing Recombinant DNA

#### **IBC** Review

#### Risks to human health

 Transfer of genetically altered material, viral vectors etc.

#### Risks to the environment

- Escape and establishment in the wild
- Interbreeding with wild stock
- Consumption by other animals

#### **IACUC** Review

#### Animal welfare

- Pain and distress from adverse phenotypes (behavioral, anatomical and physiological abnormalities)
- Risks to other animals in the facility from the inadvertent spread of vectors



## **Animal Research with rDNA: Points to Consider**

- Containment procedures (SOP's)
  - Physical and biological
  - Plans for recapture of escapees
  - Consequences should containment fail
- Procedures for transfer of animals
- Transportation procedures
- Disposal and destruction methods
- Breeding SOP's
- Occupational biosafety concerns
  - Personal protective equipment
  - Decontamination



# IBC and IRB Review of Research Utilizing Recombinant DNA

IRB Review	IBC Review
<ul> <li>Possible risks to subjects</li> </ul>	■ Recombinant DNA research for
<ul> <li>Anticipated benefits to subjects and others</li> </ul>	conformity with the NIH Guidelines
<ul> <li>Selection of subjects and the informed consent process</li> </ul>	<ul><li>Potential risk to environment and public health</li></ul>
<ul> <li>Data monitoring provisions to ensure the safety of subjects</li> </ul>	<ul> <li>Containment levels per NIH Guidelines</li> </ul>
<ul> <li>Provisions to protect subject privacy and confidentiality of</li> </ul>	<ul> <li>Adequacy of facilities, SOPs, PI and other personnel training</li> </ul>
data	Institutional and investigator
<ul> <li>Injuries or any other unanticipated problems</li> </ul>	compliance (e.g., adverse event reports)
<ul> <li>Compliance with regulations</li> </ul>	

## IBCs and IRBs Human Gene Transfer Research

IBC	IRB
Approves/disapproves HGT protocols	Approves/disapproves HGT protocols
Final approval contingent, in part, on completion of NIH RAC review process	Approval can come before or after RAC review (IRBs do receive information from RAC)  IRB approval necessary before enrollment can begin in HGT trials

### **Current Issues Concerning IBCs**

- How should IBCs work with other institutional oversight committees?
- How often should IBCs meet? What constitutes a meeting? Can we use an expedited review process?
- What do we need to record in minutes? How must we provide access to minutes?

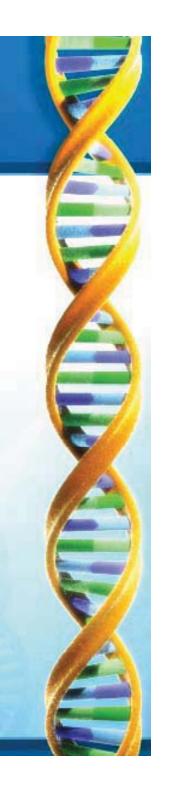
- Frequency
  - Periodic per protocol review load
  - Ongoing surveillance (annual review desirable)



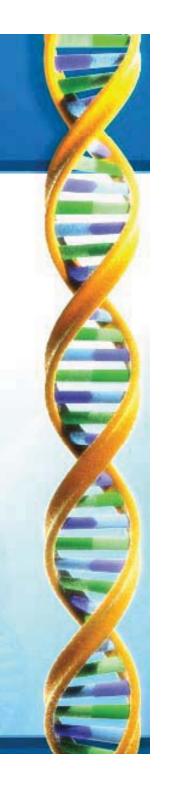
Section IV-B-2-a-(6) states:

"When possible and consistent with protection of privacy and proprietary interests, the institution is encouraged to open its Institutional Biosafety Committee meetings to the public"

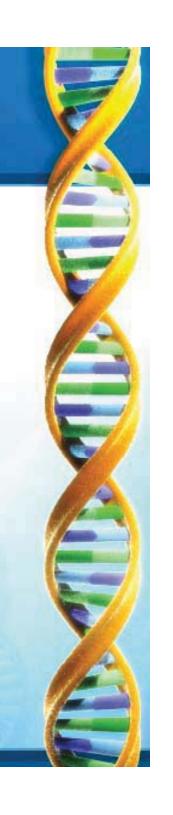
 Institution has latitude in determining how to create public awareness of meetings



- Letter of the NIH Guidelines
  - IBCs are encouraged to open meetings to the public
  - Institution shall make IBC minutes available to the public upon request
- Intent of the NIH Guidelines
  - Interactive (face-to-face, video- or teleconferencing)



- Email may be appropriate for:
  - distribution of protocol materials
  - conducting pre-meeting reviews
     (e.g. exemption determinations)
  - polling members about particular matters



## **Expedited or Designated Reviews**

- Concepts in the human subjects regulations (45 CFR 46) and animal welfare act regulations (9 CFR Part 2) respectively
- Not concepts in the NIH Guidelines
- An initial review process utilizing just the chair or IBC staff person or review by a subcommittee may only be used for:
  - determinations of which research is exempt and which is subject to the NIH Guidelines

### **Current Issues Concerning IBCs**

- How should IBCs work with other institutional oversight committees?
- How often should IBCs meet? What constitutes a meeting? Can we use an expedited review process?
- What do we need to record in minutes? How must we provide access to minutes?

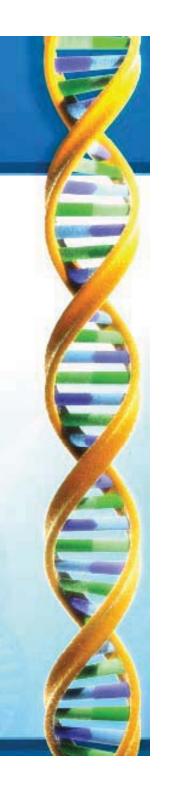
- Section IV-B-2-a-(7) states:
  - Upon request, the institution shall make available to the public all Institutional Biosafety Committee meeting minutes and any documents<sup>1</sup> submitted to or received from funding agencies which the latter are required to make available to the public.



<sup>&</sup>lt;sup>1</sup> Generally, rosters and biosketches

### **Content of Minutes**

- Not prescribed in the NIH Guidelines
- Generally accepted principles exist
  - Robert's Rules of Order
  - Need to document IBC fulfillment of review and oversight responsibilities
- Avoid extremes
  - Transcripts are probably not necessary
  - Don't simply state, "We met. We adjourned."
- Use good judgment and common sense



#### Redaction

- Section IV-B-2-a-(6) of the NIH Guidelines acknowledges that the protection of private or proprietary information is a basis for closing meetings to the public
- Since minutes are records of meetings, it is logical to extend protection of such information to minutes through redaction
- Redaction must be judicious and consistent.

- Forms of access
  - Mail, e-mail, Web site (open or password protected)
  - Requiring on-site inspection generally not appropriate
    - can be excessively burdensome on requestor
    - could be considered a deterrent

- Special procedures
  - Nothing in the NIH Guidelines precludes institutions from applying or complying with specific procedures in releasing minutes
  - State institutions are often subject to state public disclosure laws; Federal facilities are subject to FOIA
  - Following public disclosure laws is not inherently in conflict with the NIH Guidelines; reasonable fees to cover costs are acceptable

# Preparation of, and Access to, Minutes

# OBA Guidance Connect to:

http://www4.od.nih.gov/oba/IBC/IBC\_Minute\_Q\_A.pdf

# Training, Professional Development, and Outreach

- The NIH Guidelines emphasize the importance of training and place responsibility on:
  - Institutions to train IBC members,
     BSO, PI, and laboratory staff
  - NIH to conduct and support training programs



# **Institutional Training Programs**

- Should provide information on federal requirements
- Should also include information on institutional policies, procedures, and requirements
- Should be tailored to the audience investigators vs. administrators vs. lab staff



# **IBCs and NIH OBA**

- NIH OBA provides oversight, guidance, and resources for IBCs
  - Staff and information resources available to help ensure IBCs, their institutions, and investigators are compliant with the NIH Guidelines
  - Scientific and medical staff available to answer queries
    - Interpretation of NIH Guidelines
    - Containment
    - Exemptions
    - Risk group classification

#### **OBA Outreach and Education**

- Conferences for IBCs
  - Policy conference (Dec. 2001)
  - Professional development conference (Feb. 2003)
- Training courses
  - ASGT, ABSA, ACRP
- Presentations at key professional and scientific meetings
  - AAMC, ABSA, ACLAM, ARENA, ASGT,
     NBAC, PhRMA, PRIM&R, etc.



#### **OBA Outreach and Education**

- Electronic communication tools
  - Listserv: "OBA\_NEWS"
    - Policy notices, meeting announcements, compliance reminders
  - Email inbox for queries: oba@od.nih.gov
    - Questions on interpretation of the NIH Guidelines, status of protocols, scientific and medical issues

## IBC Resources on OBA's Web Site

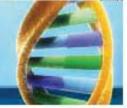
- NIH Guidelines and Federal Register notices
- Minutes and video of RAC meetings
- Reports of safety symposia
- "Latest news" items on meetings, policy guidance, resources, compliance notices, etc.
- GeMCRIS
- IBC Web page
  - FAQs
  - Training materials: Slide Presentations and Video of Professional Development Workshops

Recombinant DNA

Frequently Asked Questions (FAQs) of Interest to IBCs

- Kev Definitions and Acronyms
- NIH Guidelines for Research Involving Recombinant DNA Molecules
- IBC Roles and Responsibilities
- Committee Membership

committees.



# **IBC Resources – Training Materials**

- Professional Development Conferences
  - Slide presentations, reports, and videos
  - "Fundamentals" training sessions:
    - Safety in human gene transfer
    - Ethics of recombinant DNA research
    - Biodefense research and Select Agents



## **Outreach and Education**

- Conduct proactive not-for-cause site visits
  - Educate about IBC requirements
  - Provide on-site advice
  - Identify opportunities for improvement



# For Updates on All OBA Initiatives

Subscribe to OBA\_NEWS

Email to: listserv@list.nih.gov

- In body of message:
  - subscribe OBA\_NEWS



# **Contact Information**



**National Institutes of Health** 

# Office of Biotechnology Activities

6705 Rockledge Drive, Suite 750
Bethesda, Maryland 20892-7985
Phone (301) 496-9838
Fax (301) 496-9839
http://www4.od.nih.gov/oba/
e-mail: oba@od.nih.gov

#### **Morning Session: The Fundamentals**

- Introduction to the National Institutes of Health Office of Biotechnology Activities
- Overview of the Current NIH Guidelines for Research Involving Recombinant DNA Molecules
- Requirements for IBCs in the NIH Guidelines
- Open Forum
- Break
- Role of the Recombinant DNA Advisory
   Committee and the Protocol Review Process
- Case Studies





