MOUNT SINAI HOSPITAL
MOUNT SINAI QUEENS
POLICY & PROCEDURE

POLICY TITLE:	**ClinicalTrials.gov Registration and Reporting Policy**		
POLICY NUMBER:	ORS-001	**POLICY OWNER:**	Office of Research Services (ORS), ConduITs, Institutes for Translational Sciences
ORIGINAL DATE OF ISSUE:	May 24, 2017	**LAST REVIEWED DATE:**	April 24, 2018
EFFECTIVE DATE:	Oct 1, 2019		
CROSS REFERENCE: The Research RoadMap; ClinicalTrials.gov			

Purpose:

To provide a general understanding of the requirements for maintaining compliance with the federal requirements under the Department of Health and Human Services (DHHS), NIH regulations, and policies on ClinicalTrials.gov Registration and Reporting.

To provide a link to The Icahn School of Medicine at Mount Sinai (ISMMS) Research Roadmap which references instructions and ClinicalTrials.gov user information for Mount Sinai Health System study personnel.

Introduction:

ClinicalTrials.gov is a public registry aimed at increasing transparency and improving public awareness of research. ClinicalTrials.gov contains information on publicly and privately funded clinical studies on a wide range of diseases and conditions. The registry aims to support improved transparency and to reduce duplication of effort by a) improving public access to information about clinical trials; b) providing information for clinicians, to help their patients find appropriate trials; and c) providing researchers with an overview of a specific field of research, changes in study design, etc.

An account of the development and expansion of ClinicalTrials.gov in response to changes in policies and laws is provided on the History, Policies, and Laws page.

ClinicalTrials.gov is maintained by the National Library of Medicine at the National Institutes of Health (NIH). The agencies that enforce requirements are: The Food and Drug Administration (FDA), National Institutes of Health (NIH), The Centers for Medicare & Medicaid Services (CMS) and The International Committee of Medical Journal Editors (ICMJE).

Responsible Party:

The principal investigator (PI) of clinical trial if so designated by a sponsor, grantee, contractor, or awardee, so long as the PI is

- Responsible for conducting the trial
- Has access to and control over the data from the clinical trial
- Has the right to publish the results of the trial, and
- Has the ability to meet all of the requirements for the submission of clinical trial information

For a pediatric postmarket surveillance of a device product that is not a clinical trial, the responsible party is the entity who FDA orders to conduct the pediatric postmarket surveillance of the device product.

Applicable Clinical Trial:

The ClinicalTrials.gov final rule considers all interventional clinical trials with one or more arms and with one or more pre-specified outcome measures to be controlled clinical trials.

Registration:

Registration information is required to be submitted within 21 days after the first enrollment. ICMJE requires registration of trials prior to the date of the first enrollment.

See below for further instructions on how to register a new, eligible trial on ClinicalTrials.gov.

Updates:

In general, clinical trial registration information submitted to ClinicalTrials.gov must be updated not less than once every 12 months. Some data elements may be required to be updated more rapidly, generally 15-30 days.

Results Information Submission:

The rule requires the submission of data in a tabular format summarizing participant flow; demographic and baseline characteristics; primary and secondary outcomes, as well as results of any scientifically appropriate statistical tests; and adverse event information. In addition, the rule requires the submission of the full protocol and statistical analysis plan (if a separate document).

In general, this rule requires the submission of results information not later than 1 year after the completion date (referred to as the “primary completion date”) of the clinical trial, which is defined as the date of final data collection for the primary outcome measure.

Results information submission could be delayed for up to 2 additional years from the date of submission of a certification that either an unapproved, unlicensed, or uncleared product studied in the trial is still under development by the manufacturer or that approval will be sought within 1 year after

the primary completion date of the trial for a new use of an approved, licensed, or cleared product that is being studied in the trial.

The ICMJE does not consider as "prior publication" the posting of trial results in ClinicalTrials.gov if results are limited to a brief (500 words or less) structured abstract or tables that include subjects enrolled, key outcomes, and adverse events.

Penalties and Enforcement:

Repercussions for noncompliance include, but are not limited to, public notices of noncompliance, withholding of grant funds (current and future), termination of grants, monetary penalties (>$11,500 subjection to inflation), rejection of manuscript for publication in journals.

The responsible party is accountable to meet compliance requirements. Chairs of each department will be notified regarding studies of PIs in their department that are delinquent in meeting compliance requirements and deadlines. The department of the PIs that do not meet the compliance deadline and therefore incur penalties as listed will be held accountable for all financial penalties that ISMMS receives. Civil and criminal penalties apply directly to the responsible party listed on the study.

Centers for Medicare & Medicaid Services (CMS) Billing:

Effective January 1, 2014, CMS requires mandatory reporting of the NCT# on claims for items and services provided in "qualified clinical trials" for Medicare coverage.

Qualified Clinical Trial:

i. Purpose of trial must be the evaluation of an item/service that falls within Medicare benefit category (e.g. physicians' service, durable medical equipment, diagnostic test)
ii. Trial must have therapeutic intent
iii. Trial must enroll patients with diagnosed disease and not only healthy volunteers

ENTITY	REGISTRATION	RESULTS REPORTING	PENTALTIES
Food and Drug Administration (FDA)	Within 21 days of enrollment	Within 365 days of primary completion date	· >$11,500/study/day, subject to inflation · Criminal proceedings · Identifying clinical trial record as non-compliant in ClinicalTrials.gov
National Institutes of Health (NIH)	Within 21 days of enrollment	Within 365 days of primary completion date	· Suspension or termination of grant or contract funding · Can be considered in future funding decisions
National Cancer Institute (NCI)		Within 365 days of primary completion date	· Loss of grant funding
Centers for Medicare & Medicaid Services (CMS)	All qualifying clinical trials		· Coverage denial · Costs and fraud investigations
International Committee of Medical Journal Editors (ICMJE)	Prior to enrollment		· Rejection of manuscripts · Ineligibility to publish

Office of Research Services (ORS):

Using the ORS Research 411 Ticket System:

- **Registration** – Download registration template and definitions and send via ticket system
- **Updates** – Send brief description of updates to be made using ticket system
- **Completion of Study** – Provide completion date when study completes enrollment
- **Results** – Send manuscript or published paper along with the most recent approved protocol, statistical analysis plan if not in protocol, and most recent approved consent.
- **Principal Investigator or Responsible Party** – Transfer of record or completion of record if PI leaves ISMMS to another institution

APPENDIX A

Checklist for Evaluating Whether a Clinical Trial or Study requires registration in Clinicaltrials.gov: https://prsinfo.clinicaltrials.gov/ACT_Checklist.pdf

NOTE: MSHS Principal Investigators (PIs) are responsible for determining whether or not they are obligated to register and for any subsequent required updates including results report, in accordance with Section 801 of the Food and Drug Administration Amendments Act (FDAAA 801) and NIH 42 CFR part 11.

1. Is this study fully or partially funded by the National Institutes of Health (NIH)?	☐ Yes ☐ No	If **YES**, register your study in ClinicalTrials.gov. (CT.gov) If **NO**, continue.	Registration required within 21 days of first enrolled research subject. Complete the registration form and send to ORS team by opening an ORS Research 411 Ticket.
2. Are you planning to submit results to a journal for publication?	☐ Yes ☐ No	If **YES**, contact the journals you plan to submit to for publication for their requirements for CT.gov registration. If the journal does **NOT** require registration, you must continue with the below questions to evaluate if your study is an applicable clinical trial (ACT) which will require registration.	Registration required prior to first enrolled research subject. Complete the registration form and send to ORS team by opening an ORS Research 411 Ticket.

If "Yes" is answered to all 4 questions below (questions 3-6), and the study was initiated on or after January 18, 2017, the trial would meet the definition of an applicable clinical trial (ACT) that is required to be registered under 42 CFR 11.22.

3. Is the study interventional (a clinical trial)? • *Study Type* data element is **"Interventional"**	☐ Yes ☐ No

4. Does the study evaluate at least one drug, biological, or device product regulated by the United States Food and Drug Administration (U.S. FDA)? • *Studies a U.S. FDA-regulated Device Product* data element is **"Yes"** and/or • *Studies a U.S. FDA-regulated Drug Product* data element is **"Yes."**	☐ Yes ☐ No	
5. Is the study other than a Phase 1 trial of a drug and/or biological product or is the study other than a device feasibility study? • For drug product trials, *Study Phase* data element is **NOT** "Phase 1" and • For device product trials, *Primary Purpose* data element is **NOT** "Device Feasibility."	☐ ☐ Yes ☐ No	
6. Do ANY of the following apply (is the answer "Yes" to at least one of the following sub- questions: 6a, 6b, OR 6c)? **a. Is at least one study facility located in the United States or a U.S. territory?** • *Facility Location – Country* data element is "United States," "American Samoa," "Guam," "Northern Mariana Islands," "Puerto Rico," "U.S. Virgin Islands," or other U.S. territory. **b. Is the study conducted under a U.S. FDA Investigational New Drug application (IND) or Investigational Device Exemption (IDE)?** • *U.S. Food and Drug Administration IND or IDE Number* data element is **"Yes."** c. **Does the study involve a drug, biological, or device product that is manufactured in and exported from the U.S. (or a U.S. territory) for study in another country?** • *Product Manufactured in and Exported from the U.S.* data element is **"Yes."**	☐ Yes ☐ No	**If "Yes" for all 4 questions (Q3-6),** registration is required. Complete the registration form and send to ORS team by opening an ORS Research 411 Ticket.

APPENDIX B - RESOURCES

National Institutes of Health (NIH)

1. Summary of HHS/NIH Initiatives to Enhance Availability of Clinical Trial Information (NIH)
2. NIH Clinical Research Policy (NIH, Office of Science Policy)
3. NIH Definition of a Clinical Trial (NIH, Grants & Funding)
4. NIH Policy on the Dissemination of NIH-Funded Clinical Trial Information (Federal Register)
5. Guidance [from NIH Office of Extramural Research] on New Law (Public Law 110-85) Enacted to Expand the Scope of ClinicalTrials.gov Registration.

Food and Drug Administration (FDA) & Food and Drug Administration Amendments Act of 2007 (FDAAA)

1. Overview of FDAAA and Other Trial Registration Policies (PowerPoint, Sept-2015)
2. FDA's Role in ClinicalTrials.gov Information (FDA, Office of Good Clinical Practice)
3. FDA Regulatory Guidance as to Form FDA 3674 (FDA, Office of Good Clinical Practice)
4. Instructions for Completion of Form FDA 3674 – Certification of Compliance (pdf, April 2018)
5. Elements of Informed Consent (FDA, Docket number FDA-2006-D-0031)
6. Code of Federal Regulations (CFR): ClinicalTrials.gov Registration and Results Information Submission (42 CFR Part 11)

Center for Medicare & Medicaid Services (CMS)

1. CMS Mandatory Reporting of an 8-Digit ClinicalTrial Number on Claims MLN Matters # SE1344 (pdf, Jan-1-2014)

ClinicalTrials.gov

1. ClinicalTrials.gov Background
2. History, Policies, and Laws
3. FDAAA 801 and the Final Rule
4. Support Materials
5. Training Materials
6. Registration Data Element Definitions
7. Results Data Element Definitions
8. Results Database
9. Frequently Asked Questions
10. Registration at Clinical Trials.gov: As Required by Public Law 110- 85, Title VII, (pdf, March 9, 2009)

International Committee of Medical Journal Editors (ICMJE)

1. ICMJE – Clinical Trial Registration and Data Sharing

Icahn School of Medicine at Mount Sinai

1. Informed Consent Form Language Template. All consent documents to be used by Mount Sinai need to include site specific template information. Please click here for the Site specific consent language required. (March 3, 2018)
2. The Office of Research Services

REVIEW/REVISION HISTORY

Reviewed	*10/28/2019*							
Revised								