Continuing Noncompliance – A pattern of noncompliance presenting risk to human subjects with a high likelihood of reoccurrence without action by the WVU IRB. Continuing non-compliance includes failure to respond to a request by the WVU IRB or WVU ORHP to resolve an incident of non-compliance.

Deviation/Violation – A variance in the approved protocol and the activities being performed. Protocol deviations and violations may be minor or major.

Emergency Exception – A deviation that, in the opinion of the PI, is required to eliminate an apparent immediate hazard to a human subject or group of subjects. The researcher should proceed with the changes that are needed to protect the safety and welfare of the subjects and may do so without prior IRB review. Following the Emergency Exception, the PI must report the exception to the WVU IRB within 5 days of the deviation.

Minor protocol deviations – Reported at the time of Continuing Review

➢ The deviation has no substantive effect on the risks or benefits to the human subject, AND
➢ The deviation has no substantive effect on the value of the data collected, AND
➢ The deviation did not result from willful or knowing misconduct on the part of the principal investigator(s) or research project staff.

Major protocol deviations or violations – Reported to the IRB within 5 working days

➢ The deviation has harmed or posed a significant risk of substantive harm to the human subject and increased the risk/benefit ratio, OR
➢ The deviation has compromised the scientific integrity of the data collected, OR
➢ There is evidence of willful or knowing misconduct by the principal investigator(s) or the research project staff, OR The principal investigator(s) or research project staff demonstrated other serious or continuing noncompliance with federal, state or local regulations.

Enrollment Exception – An enrollment exception (waiver) is the sponsor’s approval for the enrollment of a human subject that fails to meet currently approved protocol inclusion criteria or falls under protocol exclusion criteria. Enrollment exceptions apply to one human subject. Requests for Enrollment Exceptions are rare and justifiable when the exception is in the best interest of the potential participant and must be reported to the WVU IRB 3 working days in advance of enrollment.

Non-significant risk device (NSR) – An investigational device that does not pose a significant risk to human subjects.

Protocol Exception – An intentional or planned deviation from the protocol that is justifiable when the exception is in the best interest of the human subject. Protocol exceptions (waiver) must be reported to the WVU IRB 3 working days in advance of the deviation.

Research-Related Event – An event occurring as a result of the research procedures. Related events are more likely than not to be caused by the research procedures or the impact is more likely than not that the event affects the rights and welfare of current human subject participants.

Serious – An event that results in death, is life-threatening, requires hospitalization or prolongation of hospitalization, results in persistent or significant disability/incapacity or a congenital anomaly/birth defect.
**Research Related Event Definitions**

**Serious Adverse Event** – An adverse event temporally associated with the human subject’s participation in research that meets any of the following criteria:

1. results in death;
2. is life-threatening (places the subject at immediate risk of death from the event as it occurred);
3. requires inpatient hospitalization or prolongation of existing hospitalization;
4. results in a persistent or significant disability/incapacity;
5. results in a congenital anomaly/birth defect; or

any other adverse event that, based upon appropriate medical judgment, may jeopardize the subject’s health and may require medical or surgical intervention to prevent one of the other outcomes listed in this definition.

**Serious Noncompliance** – Failure to follow the regulations, laws, WVU policy, the Human Research Protection Program’s (HRPP) Standard Operating Procedures or failure to follow the determinations of the IRB. The WVU IRB Chair or a convened IRB determines if there is an increase in risk to participants, a decrease in potential benefits, or a compromise to the integrity of the WVU and the HRPP. Research conducted without prior IRB approval or participation of subjects in research activities without their prior consent or where consent was not waived by the IRB is considered serious non-compliance. One instance of non-compliance may be determined by the IRB to be serious non-compliance.

**Significant Risk Device (SR)** – A significant risk device is an investigational device that: (1) is intended as an implant and presents a potential for serious risk to the health, safety, or welfare of a human subject; (2) is for use in supporting or sustaining human life and represents a potential for serious risk to the health, safety, or welfare of a human subject; (3) is for a use of substantial importance in diagnosing, curing, mitigating, or treating disease or otherwise preventing impairment of human health and presents a potential for serious risk to the health, safety, or welfare of a human subject; or (4) otherwise presents a potential for serious risk to a human subject.

**Unanticipated Adverse Device Effect (UADE)** – The investigational device exemption (IDE) regulations define a UADE as “any serious effect on health or safety or any life-threatening problem or death caused by, or associated with, a device, if the effect, problem, or death was not previously identified in nature, severity, or degree of incidence in the investigational plan or application (including a supplementary plan or application), or any other unanticipated serious problem associated with a device that relates to the rights, safety, or welfare of human subjects” (21 CFR 812.3(s)). UADE reporting applies to both significant and non-significant risk (NSR) device studies.

**Unanticipated Event** – An unanticipated or unexpected research-related event occurring during a research project.

**Unanticipated Problems Involving Risk to Subjects or Others (UPIRTSO)** – A UPIRTSO is an unanticipated problem presenting risk to human subjects or others. A UPIRTSO is an incident, experience, outcome, or new information that:

a. is unexpected or unanticipated at the time of its occurrence and is:

   1. not currently described as a potential risk in the approved research protocol or consent document
   2. not listed in the principal investigator brochure
   3. not due to an underlying disease
   4. occurring at an increased frequency or at an increased severity than expected
b. Is **related** or possibly related to participation in the research, **and**.

c. Indicates that subjects or others are at a **greater risk of harm** (including physical, psychological, economic, or social harm) than was previously known or recognized.

**Note:** The event must meet all criteria to be considered a UPIRTSO.

**Unexpected Event**– An event is unanticipated or unexpected when its frequency, severity, or specificity is not consistent with the current principal investigator brochure, protocol, consent form, package insert or label, the expected natural progress of an underlying disease, disorder, the condition of the human subject(s) experiencing the event, or the subject’s predisposing risk factor profile for the event.