Health Canada Santé Canada

Canada

Investigational Testing & Special Access Program Division Medical Devices Bureau

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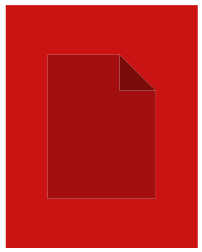
YOUR HEALTH AND SAFETY... OUR PRIORITY.

Outline



Part 3 of the *Medical Devices Regulations*

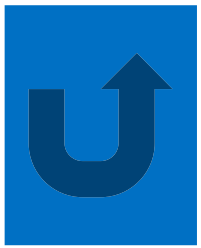
Overview of the regulations pertaining to Investigational Testing of medical devices

IT Division Work

Statistics on the work we do

IT Authorization Applications

Requirements, policies and procedures for new IT authorizations and revisions



IT Improvements

Tips and Tricks, updated guidance and policies, and process improvements

Medical Devices Regulations (MDR), Part 3

Authorizes importation or sale of unlicensed medical devices for investigational testing involving human subjects.

Subsection 80(1)

No person shall import or sell a medical device for investigational testing, unless:

80(2) the manufacturer/importer holds an **authorization** issued under Subsection 83(1) of the MDR **and possesses records** that contain all the information and documents required by Section 81 (*Class II, III or IV medical devices*);

80(3) the manufacturer or importer **possesses records** that contain all the information and documents required by Section 81 (*Class I medical device*).

Medical Devices Regulations (MDR), Part 3

Basic requirements for issuance of an IT authorization (for Class II, III, and IV devices).

Subsection 83 (1)

The Minister shall issue an authorization referred to in Subsection 80(2) to a manufacturer or importer if the Minister determines that:

(a) the device can be used for investigational testing without seriously endangering the life, health or safety of patients, users or other persons;

(b) the investigational testing is not contrary to the best interests of patients on whom the testing will be conducted; and

(c) the objective of the testing will be achieved.

IT Division Work, Statistics for FY 2017/18

191 New Authorizations

Risk Class	Number Authorized
Class I	*No requirement to file*
Class II	129
Class III	40
Class IV	22

Breakdown by Review Division

Review Division	Number of ITAs
Cardiovascular	22
Musculoskeletal	23
In-vitro Diagnostic	11
General & Restorative	135

****214 revised ITAs versus 191 new ITAs**

IT Authorization Applications …

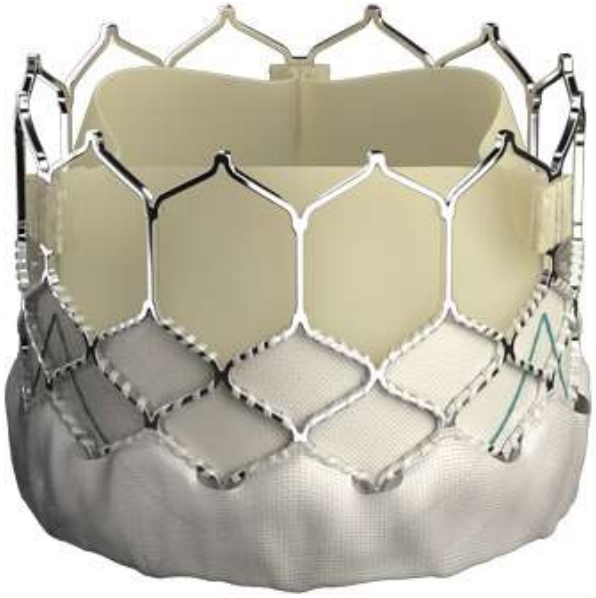
- Pertain to clinical investigations of unlicensed devices

- Are most often submitted by the Manufacturer

  The *Medical Devices Regulations* do not contain explicit provisions for investigator-sponsored clinical trials that involve unlicensed devices.

  A clinician can act as a regulatory correspondent for an application, if authorized by the manufacturer.

- Do *not* require any *fees*.



IT Authorization Applications …

Are required when:

- an unlicensed Class II, III, or IV medical device intended for use in a clinical investigation is imported, sold, or distributed (even if no monetary compensation)
- a licensed medical device is used as part of a manufacturer-sponsored study intended to generate data to support a new indication for use

Are NOT required when:

- a device is used for manufacturer in-house product development in which there is no sale or distribution
- a product does not meet the definition of a “medical device”
- a Phase IV clinical investigation or marketing study uses a device as indicated by the labelling
- an investigator sponsors a clinical study (without manufacturer support) with a licensed device that is used outside of the licensed indications.

IT Authorization Applications …

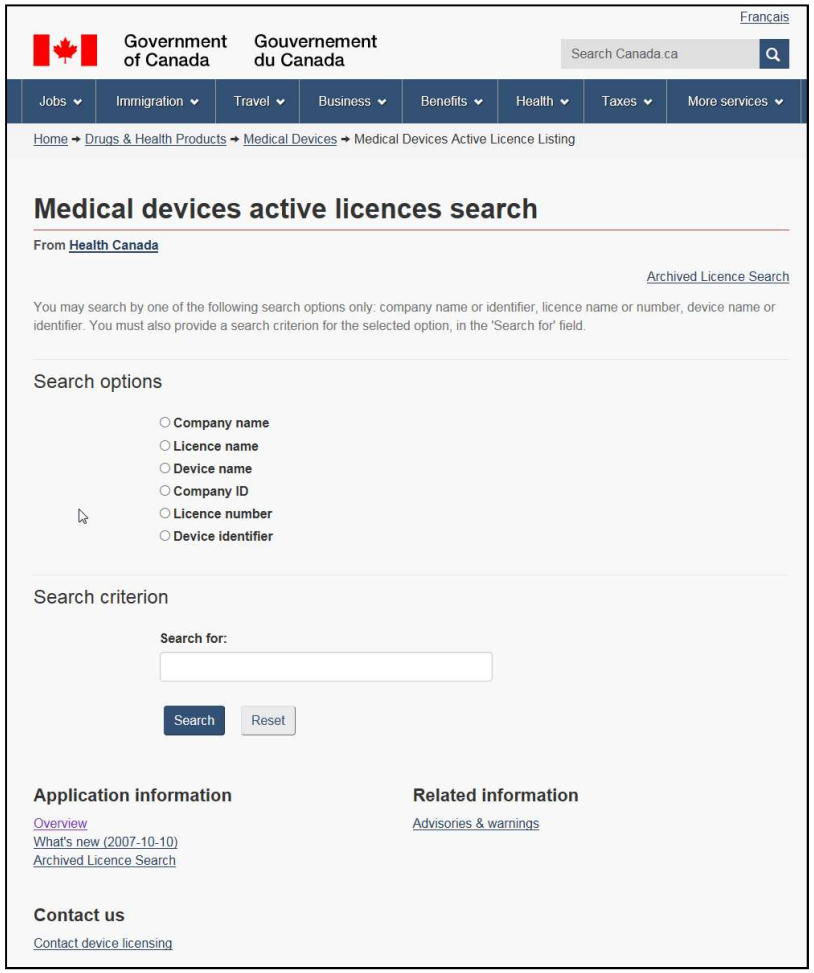
Not sure whether a device is licensed?

See the online reference tool,

Medical Devices Active License Listing (MDALL) that contains product specific information for licensed medical devices in Canada.

- Search for currently licensed devices (Active License Search) by manufacturer name, catalogue numbers, or key words in device name.
- Access an Archived License Search for devices no longer authorized for sale in Canada*

*Note: this does not impact the continued use of a device that was obtained during a time in which it was licensed.

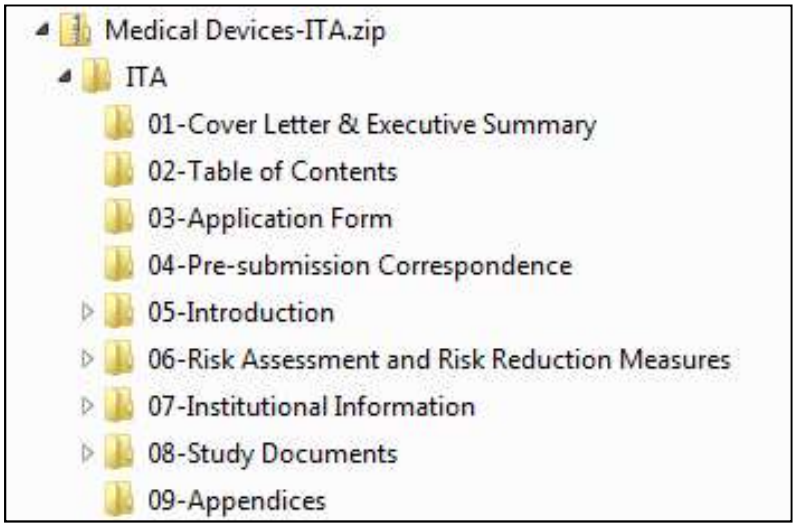


IT Application Requirements

Required for ALL Applications	Required for Class III and Class IV ONLY (May include for Class II devices if needed)
☐ Device description & design philosophy	☐ Marketing History
☐ Previously licensed IT/SAP authorized in Canada	☐ Risk Assessment
☐ Number of units, of each device requested	☐ Verification and validation: device design (E.g. mechanical, electrical); performance; shelf life; sterilization; bioburden, pyrogenicity; software; packaging stability; and, biocompatibility.
☐ Device labelling	☐ Animal studies
☐ List of primary investigator(s)	☐ Clinical studies
☐ Institution name(s) and address(es)	☐ List of primary investigator(s) and their CV(s)
☐ Study protocol document, date and version	☐ Signed investigator agreement(s)
☐ Informed Consent Form (ICF), date and version	☐ Research Ethics Board (REB)/Ethics Committee (EC)/Investigational Research Board (IRB) approval. This must reference (date and version) the submitted protocol and ICF documents to demonstrate approval.
☐ (required for Class III and IV) Standards and Declaration of Conformity (DoC)	
☐ (recommended for Class II) Standards and Declaration of Conformity (DoC)	

IT Application Submission

Only one format acceptable: "non-eCTD electronic-only".



-Paper only or other electronic format will be rejected

-Empty folders may be deleted, but folders should not be renamed or renumbered

-Email submissions to: hc.devicelicensing-homologationinstruments.sc@canada.ca

Alternatively, sent a CD/DVD by courier mail to:

Investigational Testing Division
Medical Devices Bureau
Health Canada, 11 Holland Ave., 2nd Floor 3002A, Ottawa, ON K1A 0K9

“Bundled” IT Application Submissions

When to “bundle” and submit multiple applications together …

- a single device used in multiple studies (different study protocols)
- multiple devices manufactured by different manufacturers used in the same study (protocol); each device manufacturer is required to submit a signed authorization
- a separate application required for each device and/or study

Why?

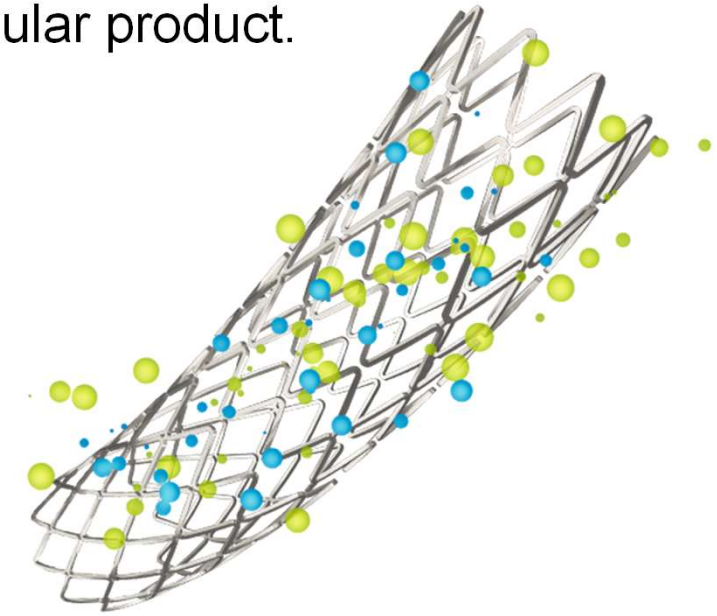
- “Bundling” avoids processing delays.

Unlicensed Devices in Drug Trials

- Unlicensed medical devices are used in conjunction with investigational drugs / biologics.
- Device, not the drug / biologic, is evaluated in the proposed study.
- However, both an ITA and Clinical Trial Application (CTA) are required for the device and drug respectively, and both must be filed simultaneously.
- Device safety and effectiveness include a demonstration that the proposed device does not negatively impact the drug study outcomes (E.g. erroneous).
- IT Authorization applies only to the proposed medical device reviewed.

Device/Drug Combination Product Policy

A Combination Product is a therapeutic product that combines a drug / biologic component and a device component (which by themselves would be classified as a drug or a device), such that the distinctive natures of the drug and device components are integrated into a singular product.



Primary mode of action determines the “Lead Bureau”, and creates a single portal of entry for an application.

Revisions to IT Authorizations

Minor modifications to the protocol and/or informed consent form (ICF), additional sites and/or primary investigators, increased number of devices and/or subjects, device changes (those which do not constitute a significant change in design or basic principles of operation). Information requirements:

- Cover Letter and/or Executive Summary clearly describing the revisions being requested
- Redlined & clean copies of revised documents; tabular summary of changes with justification for any non-administrative changes
- REB approval for class III, IV devices (version and date listed on REB approval should correspond with documents provided, or clarify differences)

Note: At the time of a revision request, if new information is identified that suggests concerns (marketing history, literature, etc.), additional information may be requested.

Post IT Authorization Reporting

The reporting of incidents and recalls is not only consistent with ISO 14155 (Clinical investigation of medical devices for human subjects—Good clinical practice), but is mandatory for …

Manufacturers

Sections 59 to 61.1 (incidents) and Sections 63 to 65.1 (recalls)

Investigators

Subsection 81(k)(v), within 72 hours after awareness of an incident described in Section 59

(device failure or deterioration in effectiveness, or inadequacy in labelling that has lead to death or serious deterioration in the state of health).

Note: Periodic reports are not a requirement unless specified as a condition in the authorization letter, or agreed upon by during the review process.

Post IT Authorization Reporting

Provide notification of study completion and a copy of the final study report.

OR

Provide reasons for why the trial was suspended or discontinued, along with clarification of any safety concerns related to the decision.

Include a summary of the study outcomes and adverse events, if applicable .

A study may be suspended/discontinued for various reasons including: safety, lack of funding; lack of enrollment; or new technology.

Tips & Tricks (all Classes of devices)

Provide a clear description of the device and if it is modified from a licensed version, all differences.

Indicate whether an ITA has been previously issued, and if so, provide details from that/those studies.

Submit the Instruction for Use (IFU), and samples of all labels that consistently show manufacturer and device names, as well as Investigational Use Statement in both French and English (Section 86). This must be marked on reusable devices.

Provide complete marketing history for the device (E.g. Special Access requests, previous ITAs, and clinical trial authorizations elsewhere for proposed or previous version)

BENEFIT

Reduction in processing time and fewer information requests

Tips & Tricks (all Classes of devices)

Provide an ICF, which includes potential risks, benefits (even if none directly apply to the patient) and treatment alternatives.
(Reference ISO 14155)

Indicate the anticipated duration of the study, including enrollment and follow up windows.

Specify the total number of devices to be authorized in Canada, and the number of study patients in Canada.

Provide the number and identity of participating Canadian sites.

Submit signed test reports that describe methods, acceptance criteria, results and any deviations.

Include REB letter(s) that specifically reference(s) the most current protocol and ICF (or justifications for discrepancies if applicable). (*Class III & IV*)

BENEFIT

Reduction in processing time and fewer information requests

ITA Guidance Document UPDATES

The updated ITA Guidance Document provides additional information and clarification on many issues including …

- REB timeline (authorization following REB)
- when an ITA revision vs. new ITA application is required (when is a change considered significant)?
- availability, benefits, and responsibilities for pre-ITA meetings
- regulatory burden reduction for certain low risk medical devices
- how to file an ITA (E.g. Non-eCTD guidance folder structure, wording, etc.)

ITA Process Improvements

Improvements to provide more timely service, clear guidance and modernized regulatory requirements is progressing well …

SERVICE

- Received, analyzed and exploring actions to address stakeholder feedback.
- Launched Client Satisfaction Survey.
- Building regulatory and evaluator capacity.
- Enhancing evaluator efficiency through SOP and training modernization.
- ITA process adjustments.
- Implemented electronic filing.
- Quick revision forms.
- Pre-submission meetings and informal discussions.

GUIDANCE

- Updated ITA Guidance Document for submissions (*Summer 2018*).
- Pursuing updates to the Health Canada website.
- Revising correspondence messaging (emails, letters, ITA application form) to provide more information, more consistently about requirements and next steps.

REQUIREMENTS

- Exploring regulatory changes to allow for:

(a) ITA authorization prior to receiving REB approval,

(b) a formalized requirement for ITA revisions (as there are no specific provisions for revisions to ITAs in the *MDR*),

(c) reviewing the significant change definition for ITAs, and

(d) reduced requirements for low risk medical devices.

ITA Time Management

	Performance standards (in calendar days)			
Application Type	**Screening 1**	**Review 1**	**Screening 2**	**Review 2**
ITA	**30**		**30**	
Class II License	15		15	
Class III License	15	60	15	30
Class IV License	15	75	15	30
Priority Class III/IV	45		15	
License Amendment i) Significant Change Class III/IV	15	60	15	30
ii) Significant Change Class IV	15	75	15	30
iii) Administrative Change – Faxback (all)	15		15	

ITA Time Management

Type	Target Days	On time YTD (Apr-Mar 2017-18)	Goals				
			Q1-18	Q2-18	Q3-18	Q4-18	Q1-19
ITA	30	69%	75%	80%	85%	90 %	100 %

References

Medical Devices Regulations: http://laws.justice.gc.ca/eng/regulations/SOR-98-282

2017 Draft Guidance Document for Preparation of an ITA Application:
https://www.canada.ca/en/health-canada/services/drugs-health-products/public-involvement-consultations/medical-devices/consulation-draft-investigational-testing-authorizations-guidance.html

Guidance Document for Mandatory Problem Reporting:
https://www.canada.ca/en/health-canada/services/drugs-health-products/reports-publications/medeffect-canada/guidance-document-mandatory-problem-reporting-medical-devices-health-canada-2011.html

"Non-eCTD Electronics-Only" Format:
https://www.canada.ca/en/health-canada/services/drugs-health-products/drug-products/announcements/notice-applications-investigational-testing-authorization-medical-devices-non-ectd-electronics-only-format.html

ITA email enquiries: hc.it-ee.sc@canada.ca

Questions?