Determining which IRB to Use, which Agreements are required, and which IRB fees to budget.


Q1: Is this for multi-site research that requires sIRB review as required by Federal Regulations, such as?
   1) NIH funded non-exempt research that uses a single protocol to conduct research at multiple sites
   2) Other studies as required by other Federal Department/Agency (contact funding Department/Agency for determination)
   3) Multiple sites are engaged (as determined by where the investigator is an employee or agent, per OHRP guidance) in non-exempt federally funded Human Research
4) **FDA regulated Clinical Investigation with multiple US site participation** (*pending FDA implementation, included here for planning purposes)
For details and sIRB exceptions, see:
   - Single IRB for Multi-Site or Cooperative Research | grants.nih.gov
   - Single IRB Exception Determinations | HHS.gov
   - FDA Proposed Rules for Harmonization and sIRB.

Q2: Is this for Industry Sponsored human research?
   NO

Q3: Is this for multi-site research overseen by an External Reviewing IRB (not the Downstate IRB)?
   YES

Q4: Is this for other human research (not described above), which requires Full Board or Expedited or Exempt IRB review?
   NO

Q5: Is an IRB Determination needed to document an activity is not research, not human research or that the institution is not engaged in human research?
   YES

Q6: Is Downstate the Primary Awardee?
   YES
   Obtain a quote for IRB fees from the WCG IRB and use the WCG IRB as the Reviewing IRB.
   Reminder: Include applicable WCG IRB fees & Downstate Local IRB Review fees in the research budget.
   After the Reviewing IRB approves the study (or for “pre-review” requests), submit Form 11-A3 to the Downstate IRB to confirm local research context.
   1) Downstate IRB Acknowledgment is required to activate the research at Downstate for ONLY Investigators from the Downstate workforce.
   2) All other Investigators follow the polices of their Institution and the Reviewing IRB.

   Whenever possible, use the WCG IRB; however, the Primary Awardee, Overall PI, or Sponsor decides which IRB to use. When required, Downstate Investigators may use the BRANY IRB or NCI CIRB, for which master IRB Reliance Agreements are in place. To establish an IRB Reliance Agreement (IRA) with a Reviewing IRB not otherwise listed above, use SMART IRB IRB Online Reliance System process when possible.

Notes:
1) When using an External IRB, obtain an IRB-Fee Quote and include applicable Reviewing IRB fees & Downstate Local Review fees in the research budget.
2) Qualifications to be an eligible Reviewing IRB: a) member of SMART IRB, or b) AAHRPP accredited, or c) Quality Assessment within last 5 years.
3) Follow the Relying IRB's process for establishing the IRA. A paper based, IREx, or other electronic reliance agreement may be established for eligible Reviewing IRBs, when they are not a member of SMART IRB.
4) The IRB Reliance Agreement with the Reviewing IRB and Downstate covers Investigators from the Downstate workforce. Additional IRAs must be established by all other investigators with their institution.
5) Exceptions may apply to Tribal and non-U.S. IRBs.

Use the Downstate IRB to include:
1) Investigators from the Downstate Workforce (see step 4).
2) UPB Investigators.
3) Kings County Investigators.
4) Maimonides Investigators, when the qualified Principal Investigator is a member of the Downstate workforce, provided the research is NOT federally funded, NOT multi-site industry sponsored, and NOT exempt
5) Investigators from an institution willing to execute a Downstate IRB Reliance Agreement for NON-EXEMPT research.
6) Investigators who are NOT 'Investigators for the purposes of COI' and willing to execute a Downstate Individual Investigator Agreement (IIA). Typically the investigator is at an institution that does not have an IRB and the investigator acts independently of their institution (e.g., moonlighting resident) or their institution allows an IIA.

03.24.2023