CTTI MOBILE AND CLINCIAL TRIALS PROJECT
LEGAL AND REGULATORY INTERVIEW GUIDE

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1. Interviewer Name	
2. Data collection event ID#	
3. Participant ID#s	
4. Interview Date (dd/mm/yyyy)	|___|___|/|___|___|/|___|___|___|___|
5. Time Interview Began (hhmm-24hr clock)	|___|___|___|___|
6. Time Interview Ended (hhmm-24hr clock)	|___|___|___|___|

Step 1: Complete Q1-3 above before calling the participants.
Step 2: Once you connect with the participants, introduce yourself; thank participants for taking part in the interview.
Step 3: Read Section A below to participants.
Step 4: Turn on audio recorder, document time interview begins in Q5 above, and conduct interview.
Step 5: At the end of the interview, thank the participants and ask if they have any further questions; document time interview ended in Q6 above.
Step 6: To acknowledge their contribution, ask if the participants are interested in being listed as participants in this study (name and company) in the publication of these data and the recommendations document (data will not be linked specifically to the participant); if yes, document appropriately (Appendix E).
Step 7: Ask if the participants are interested in being re-contacted to receive a summary of the study results; if yes, document appropriate contact information for follow-up (Appendix E).
Step 8: Ask if the participants are interested in being re-contacted about CTTI's future Mobile Clinical Trials research and project activities (Appendix E).

SECTION A: Information About the Study

- Hello, thank you for taking time out of your busy schedule to speak with me today. My name is [Name], and I am a _____ with the Clinical Trials Transformation Initiative.

- As you are well aware, the use of technology in clinical research, such as telemedicine and mobile devices, offers the potential to increase the quality and efficiency of research. Yet, remote activities that use technology are not widely incorporated into existing clinical research. Current laws and regulations that govern or affect the use of remote clinical research, as well as perceived willingness of regulators to accept data collected remotely, may be a barrier to their widespread use.

- The Clinical Trials Transformation Initiative – referred to as CTTI – is developing evidence-based recommendations to address this issue. We are interested in hearing your thoughts on how legal and regulatory challenges in conducting clinical research remotely can be addressed and overcome.

- We are also interested in hearing more about the work you have done in this area and particularly the issues you came across as you conducted your remote clinical research.

- Please note that for the purpose of this group interview, we will define 'telemedicine' as: The use of communication technology for the delivery of healthcare services from an originating site to a remote site. Communication technologies may include, but are not limited to, telephone, email, online health record portals, fax, audio conferencing, video conferencing, or store-and-forward mobile device.

- Please note that for the purpose of this group interview, we will define 'clinical trial using telemedicine' as: The execution of a research study, where research participant engagement, data collection, treatment, and follow up relies partially or fully on the use of communication technology from an originating site to a remote site.

- Lastly, for the purpose of this group interview, 'telemedicine' and 'telehealth' are interchangeable terms.

- There are no right or wrong answers to the questions I will ask, only opinions. We want to hear about the considerations you made as you designed your studies and your experiences before, during and after conducting the research. Please feel free to share your candid thoughts to the questions that I ask you. It's very helpful to hear your point of view.

- As described in the informational sheet provided to you earlier, participating in this interview is voluntary. You can choose not to answer a question, or you can stop participating at any time. As I'm sure you are well aware, this is a group interview. For that reason, I will not ask any personal questions; all of my questions today will focus on your professional experiences in implementing remote clinical research. I encourage you to only share information that you feel comfortable with others in the group learning. We do not think there will be any personal risks or benefits from the interview today. However, with all behavioral research, there is a very small potential risk of loss of confidentiality. This means that people outside the study team could learn what you said in the interview. But we think this is unlikely because we do many things to protect the information you tell us, such as storing your data on secure servers.

- I will audio record the group interview because I want to make sure I don't miss any of your comments. The recording will be destroyed after the study results are published.

- The group interview will take roughly 2 hours. Information about who to contact if you have questions about the study, including the Duke IRB, can be found in the informational sheet.

- Do you have any questions for me so far about the interview?

Ok, let's get started!

TURN ON RECORDER

SECTION B: Background Information

1. To begin, please describe a clinical research study that you all have been involved with that included remote clinical activities. ***[If group has been involved in more than one study, ask participants to choose the study where the most lessons were learned.]***

   Follow up as necessary:
   - What therapeutic area/s was the study addressing?
   - What were the remote aspects of the research? (e.g., telephone, email, fax, audio conferencing, live-video, mobile devices, wearable or at-home devices, ***probe on purpose***
   - What were the study's objectives?
   - Who was the study population?
   - In which states were the participants located?
   - ~~o~~ In which state was the sponsor located? The CRO? The investigators? ~~The IRB?~~

   a. Were local healthcare providers, including doctors and nurses, engaged in the clinical procedures and monitoring activities?
      i. ***[If yes]*** How so?

   b. Were mobile nurses engaged in the research at all?
      i. ***[If yes]*** How so?
      ii. How did state licensure issues affect the work that mobile nurses could do, if at all?

Thank you for providing that background information. That will be useful for me throughout the interview.

SECTION C: Telemedicine Laws and Regulations

Now let's move on to our first topic – laws and regulations governing clinical research that are conducted remotely in some way. An important objective of this research is to learn about research sponsors' awareness and understanding of existing laws and regulations governing the conduct of remote clinical research, including the challenges experienced when following these regulations.

Let's first start with laws associated with using **telemedicine** in some way in clinical research.

2. As you know, different states may have varying laws regulating telemedicine. What *state* telemedicine laws did you reference when designing your remote clinical research? ***[Probe about the state of the investigator and the state(s) of the participants, if different.]***

   a. What was your understanding of what these telemedicine laws required?

   b. How did these laws impact the decisions made about study procedures?

   c. What, if anything, did you find challenging about these telemedicine laws? ***[Probe about each law mentioned; ask about managing variance in state laws, if appropriate.]***
      i. How did you address those challenges?

d. When you were designing your research, what study procedures using telemedicine did you want to do, but they were either prohibited by law or the law was vague and unclear? ***[Probe about consulting legal counsel.]***
    ii. What did you do instead?

e. What changes to these telemedicine laws, if any, do you feel would better support the remote conduct of clinical research?

3. Now let's talk about the U.S. federal landscape (e.g., in-process legislation, draft bills) and the use of telemedicine. What U.S. federal bills and laws (e.g., Medicare, Medicaid), if any, did you look to when you were designing the telemedicine aspects of your remote clinical research?

    a. How did these laws impact the decisions made about using telemedicine in your research?

    b. What suggestions do you have to better clarify the federal legal landscape governing the conduct of remote clinical research?

SECTION D: Shipping and Receiving

Now let's talk about shipping, receiving, receipt, and storage of the study product.

4. What did the state laws stipulate about the shipping, receiving, receipt, and storage of the study product from one state to another or directly to participants? ***[Probe for each applicable state and for each action.]***

    a. How did these laws impact the decisions made about shipping the study product?

    b. What did you find challenging, if anything, about these state laws? ***[Probe about managing variance in state laws, if appropriate.]***
        iii. How did you address those challenges?

    c. What changes to these state laws, if any, do you feel would better support clinical research conducted remotely?

5. Let us now talk about FDA regulations and the shipping, receiving, receipt, and storage of the study product.

    a. How did you interpret the regulations on shipping, receiving, receipt, and storage of the study product across state lines? ***[Probe about awareness of or waiver from FDA shipping regulations.]***

    b. How did these regulations impact the decisions made about shipping the study product?

    c. What, if anything, did you find challenging about the FDA shipping regulations?

d. What recommendations do you have for FDA on clarifying their regulations on shipping drugs within remote clinical research?

6. What processes did you follow for the shipment, delivery, receipt, and storing of study product in your remote trial? ***[Probe about each step.]***

    a. Who received the study product? (e.g., hospital/store pharmacist, patient, local investigator, local practitioner)
        i. Why was that person chosen?

    b. What challenges, if any, did you face? ***[Probe for each: shipment, delivery, receipt, storing; probe about fraud/theft.]***
        ii. ***[If had challenges]*** How were these handled?
        iii. ***[If had challenges]*** What would you do differently next time?

    c. How were adequate records of drug shipping and receiving maintained and submitted?

    d. Did you find any aspect of maintaining the drug log challenging?
        iv. ***[If had challenges]*** How were these handled?
        v. ***[If had challenges]*** What would you do differently next time?

    e. What amount of data collection did you find necessary to support auditing? ***[Probe about what kind of data.]***

7. *[If appropriate]* What processes were in place to recover unused investigational drug?

    a. What challenges, if any, did you face in recovering any unused drug, given that your research was conducted remotely?
        i. ***[If had challenges]*** How were these handled?
        ii. ***[If had challenges]*** What would you do differently next time?
        iii. ***[If had challenges]*** What recommendations do you have for FDA on clarifying their regulations on the disposition of unused investigational drug in research conducted remotely?

Thank you. Now we'll take a deeper dive into other aspects of the U.S. Federal Regulations.

SECTION E: FDA Review Divisions and Investigational New Drug (IND) Application (for those who had an IND)

8. We will discuss particular FDA regulations in a moment, but generally speaking, have you limited, changed, or not executed aspects of remote clinical research over concerns that FDA review divisions might not accept an application that utilized remote clinical research methods? Please elaborate.

Now let's talk specifically about the IND process.

9. When you prepared the IND application for this study, how did you address the fact that some or all of the trial was to be conducted remotely? ***(e.g., information was provided in protocol only or it was included in specific sections of the IND application, specify sections)***

    a. What did you find challenging, if anything?
        i. ***[If any challenges]*** How did you manage those challenges?
        ii. ***[If any challenges]*** What suggestions do you have to make the process more accommodating to remote clinical research?

    b. What discussions with FDA, if any, occurred during the IND process regarding the remote conduct of the research? ***[Probe about the issues raised by FDA and how those issues were resolved.]***

10. Did you ask the FDA for any waivers (beyond shipping)?
    a. ***[If yes]*** For what?
    b. ***[If yes]*** What did the waiver allow you to do that you could not have done otherwise?

11. How did conducting clinical research remotely influence decisions about identifying who could serve as an investigator or sub-investigator?

    a. What suggests do you have for clarifying the FDA regulatory guidance on investigator qualifications for remote clinical research?

Now let's talk about delegation of other responsibilities in your trial, beyond shipping and receiving.

12. In comparison to traditional, in-person research, what changes were necessary when assigning responsibilities because your trial was conducted remotely?

    a. What type of investigator responsibilities were delegated to others?
        i. Who were they delegated to? ***[Probe about local physicians, nurse practitioners, other medical personnel, co-PIs/sub-investigators, participants, local pharmacies.]***
        ii. Why was that possible?
        iii. How was this operationalized?

    b. Which investigator responsibilities did you feel could not be delegated?
        i. Why not?

    c. What challenges, if any, did you face in delegating responsibilities while following the 21 CFR 312 regulations?
        i. ***[If had challenges]*** How were these handled?
        ii. ***[If had challenges]*** What would you do differently next time?
        iii. ***[If had challenges]*** What recommendations do you have for FDA on clarifying their regulations on the delegation of responsibilities in remote clinical research?

    d. What recommendations do you have for others who want to conduct clinical research remotely about how to go about delegating investigator responsibility?

13. Let's move on to how safety reporting was similar and/or different to traditional, in-person clinical research.

    a. What processes did you find to be similar?

    b. What processes were different? ***[Probe about how safety issues were identified.]***

    c. How were local practitioners informed? Investigators? Sponsors?

    d. What did you find to be challenging? ***[Probe about submission time to FDA, to IRBs; determining causality.]***
        i. ***[For each challenging situation]*** How was that issue solved?

    e. What suggestions do you have to make this process easier next time?

14. Lastly, let's talk about how communications were handled within your remote trial. How was information or new observations communicated to all individuals who had been delegated responsibilities?

    a. What challenges, if any, did you face?
        i. ***[If had challenges]*** How were these handled?
        ii. ***[If had challenges]*** What would you do differently next time?

SECTION F: Reimbursement

15. How were the telemedicine-specific procedures in your clinical research reimbursed?

    a. Was there state-by-state variance of either Medicaid and/or private payers?
        i. ***[If yes]*** How did this impact your research, if at all?

    b. Was reimbursement for telemedicine-specific procedures a barrier to conducting remote clinical trials?

SECTION G: Ethics

Now let's talk about the IRB review of your protocol.

16. When designing the research, what privacy and confidentiality concerns did the team have?
    a. How were these addressed?

17. ***[If not mentioned above]*** What HIPAA concerns did you have?
    a. How were these addressed?

18. How did you select your IRB? (probe about sponsor's state, participant's state)

19. What concerns did your IRB have with the remote aspects of your protocol?

a. How were those concerns addressed? ***[Probe about any changes made to the original remote study design.]***

SECTION H: General Opinion Questions

The last few questions ask about your opinion on a variety of topics related to remote clinical trials.

20. Are there specific FDA or other Federal Agency regulations that you believe limit the ability to design and conduct remote clinical trials?
    a. What specific clarifying FDA guidelines might be helpful to you as a sponsor?

21. In comparison to traditional, in-person research, how is liability different when conducting the trial remotely?
    a. How might this be a barrier to conducting remote clinical research?

SECTION I: Closing

In closing, I'd like to get your general recommendations for future investigators/research sponsors who may be interested in conducting remote clinical research.

22. What are your top three recommendations or areas of advice for other investigators/research sponsors when navigating the legal and regulatory challenges to conducting remote clinical research?

23. What can the FDA or other Federal Agencies do to help clarify permissible remote clinical research activities?

That's the end of the questions that I have for you today. Do you have any final thoughts or questions that you'd like to ask about this study?

I want to sincerely thank you for your time and for the helpful information that you provided.