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- CDA | NDA Overview

The Office of Clinical Trials Administration (OCTA) has the responsibility and authority to negotiate and execute agreements that meet the above definition of a clinical trial when (i) under an industry developed protocol and (ii) funded by industry. Such industry sponsor-initiated and funded clinical trials are authored and funded by a pharmaceutical, device, biotech company, or for-profit Clinical Research Organization (CRO) whether directly or indirectly through another academic medical center or non-profit organization. The Office of Contract and Grant Administration (OCGA) has the responsibility and authority to negotiate and execute a broader spectrum of research agreements, including UCSD Investigator authored clinical trial protocols and clinical trials funded by the government or a non-profit entity.

Effective August 1, 2016, the OCTA Clinical Trial Agreement Request Form will no longer be used. All Health Science departments have been onboarded to ePD. Clinical trials must be submitted to ePD.

Training and Approval Access is required for the proposal creators in order to create a new Clinical Trial proposal in ePD at; http://blink.ucsd.edu/research/preparing-proposals/proposal-development/epd/access-use.html

For questions, please contact OCTA@ucsd.edu or 858-822-2940.

Last updated: 29 Aug 2019

Office of Clinical Trials Administration (OCTA)

ASSIGNMENT BY - LEAD DEPARTMENT* Contract Officer

(for all Contract Types)

Alzheimers (ADCS) Leah Williams Anesthesiology Leah Williams

Cancer Center (includes Hem-Onc/BMT) Sanaz Masha; David Beatty

Cardiology Lindsey Wholey Cardiovascular Medicine (DOM) Lindsey Wholey Dermatology/Peds Dermatology Kelly Quintana

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Emergency Medicine Leah Williams Endocrinology & Metabolism (DOM) Lindsey Wholey Family Medicine and Public Health Leah Williams Gastroenterology (DOM) Lindsey Wholey Geriatrics (DOM) Lindsey Wholey Hematology (through DOM/non-MCC) Leah Williams Infectious Diseases (DOM) Leah Williams

Internal Medicine (DOM) Lindsey Wholey Medicine/Hospital Medicine (DOM) Lindsey Wholey Nephrology (DOM) Leah Williams Neuroscience Leah Williams Ophthalmology Leah Williams Orthopedic Surgery Leah Williams Pathology Leah Williams

Pediatrics Leah Williams, Kelly Quintana, Lauren Sanfilippo

Psychiatry Kelly Quintana Pulmonary (DOM) Lindsey Wholey Leah Williams Radiology Regenerative Medicine (DOM) Lindsey Wholey Leah Williams Reproductive Medicine Rheumatology, Allergy & Immunology (DOM) Lindsey Wholey Kelly Quintana Surgery Urology Leah Williams**

*Lead Department is the department through which the study is being submitted/conducted, which may differ from PI's home department.

**Any Department not covered by this list will be assigned to Leah Williams

DOM = a division within the Department of Medicine (will appear as "Medicine" in ePD, Coeus, and OCTA Application)

Glossary

CTA DBO

ePD

CDA Confidential Disclosure Agreement

COL Conflict of Interest

CRO Contract Research Organization – an organization that

provides support to pharmaceutical companies in

administering a clinical study Clinical Trial Agreement **Direct Business Officer** Electronic Proposal Database

HRPP Human Research Protections Program

IRB Institutional Review Board MSO Management Services Officer NDA Non-Disclosure Agreement

Office of Coverage Analysis Administration **OCAA** Office of Clinical Trials Administration **OCTA**

ы Principal Investigator

Sponsor A for-profit entity that initiates and takes responsibility for a

clinical investigation

Principal Investigator, co-Investigator(s), Project Study team

Manager(s), study coordinator(s), regulatory personnel,

and fund manager(s)

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Payment Methods

For information regarding payments, see OCTA Financial or e-mail OCTAFinancials@ucsd.edu.

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ACTIONS | OCTA

PRE-AWARD PROCESS

The OCTA Contract Officer will:

- Contact the sponsor to initiate contract negotiations;
- Provide the sponsor with the standard UCSD agreement if a sponsor agreement is not provided;
- Obtain a copy of previous agreement (if applicable);
- Review and propose revisions to the contract;
- Negotiate final revisions to the contract;
- Forward the final agreement to the Principal Investigator for signature (the PI will then send the signed contract back to the OCTA contract Officer);
- Sign the Agreement on the behalf of The Regents;
- Forward the signed contract to the Sponsor (the Sponsor will then sign the signed contract back to the contract negotiator).

Once the appropriate paperwork has been submitted, please check the OCTA Dashboard for the in-process status and notes about the study.

CONTRACT NEGOTIATIONS

Negotiations involving a contract can sometimes be guite complex and lengthy, depending upon the sponsoring organization and the nature of the work to be performed.

Contracts with clinical trial sponsors (e.g., pharmaceuticals or medical device companies, clinical research organizations) cover human testing activities related to an investigational drug, compound or device leading to approval by the Food and Drug Administration for commercial distribution.

As a public, nonprofit educational institution, the University is bound by certain policies and regulations regarding what it can and cannot accept in a clinical trial contract. These policies are designed to protect the welfare of individuals participating as research subjects; foster the University's basic mission of teaching, research and public service; and minimize the various forms of liability associated with human subject research.

For-profit private sponsors, such as pharmaceutical companies, are motivated by different forces than the University. As a result, they sometimes do not understand the ideals and principals behind our policies. Consequently, additional time may be required for contract negotiations while the contracts negotiator works with the sponsor to arrive at a mutually acceptable agreement.

When negotiating clinical trial contracts, the University primarily focuses on securing acceptable contract clauses regarding high-risk issues such as subject injury, indemnification, confidentiality, ownership of data, patent rights and

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The University's standard clinical trial agreement and the clauses proposed by the University during contract negotiations are based on the following assumptions:

- That the clinical investigation is conducted under a protocol that is a FDA Phase I, II, III, or IV drug study or a FDA regulated medical device study.
- That the Sponsor provides its proprietary product and study protocol to the University for the purpose of conducting a clinical trial; and
- That the sponsor will fully fund the cost of the trial (i.e., no work will be supported in whole or in part with other fund, including Federal funds).

POST-AWARD PROCESS

- The index number will be assigned within 1 business day
- Distribution of a copy of the executed agreement to the Principal Investigator and study team will be included with the index number

CONTRACT AMENDMENTS

Amendments, modifications, and Addenda should be entered into the OCTA Application: http://som.ucsd.edu/OCTAApplication

Last updated: 15 Mar 2019

Once a study has received IRB approval and has a fully executed CTA, the OCTA financial team will set up your index. This process usually takes place within 24 business hours of contract execution (if the study is IRB approved). This study-specific index is where you will be able to manage your study related expenses in accordance with UC policy. The generated index will be linked to the research account (formerly "Bulk Account") for each study. We recommend completing the research account application when submitting to the IRB and completing the CTA form. For assistance completing the Research Account application please contact ctri-velos@ucsd.edu.

If you are member of a study team and your role requires you to be notified of the index setup, please send us an email to oCTAFinancials@ucsd.edu with your contact information and study details, and we will be happy to add you to the notifications list.

Last updated: 7 Mar 2018

Confidential Disclosure Agreements (CDA) or Non-Disclosure Agreement (NDA)

The first step in initiating a clinical trial is obtaining the protocol from the sponsor or the Contract Research Organization (CRO). Usually before the sponsor or the CRO is willing to release a copy of the confidential protocol, they will require that a Confidential Disclosure Agreement (CDA) be signed. The CDA should be signed by a University representative on behalf of its employee, the potential investigator. Note that the OCTA only handles NDAs for sponsor-initiated trials.

As soon as the potential investigator receives the CDA, it should be entered into the OCTA Application, http://som.ucsd.edu/OCTAApplication along with the contact information for the sponsor or CRO. The OCTA analyst will then review the CDA to ensure the terms and conditions of the document are in compliance with

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University policies. Should revisions be necessary, the OCTA analyst will contact the sponsor or CRO to negotiate language acceptable to both parties. To ensure any unnecessary delay in getting the protocol to the potential investigator, the initial sponsor or CRO contact, the CDA review will occur within 24-72 hours of the OCTA receiving the CDA.

Problem areas with CDA's may include:

- Sponsor Ownership of Intellectual Property arising out of the trial;
- Potential investigator indemnifies sponsor for breach of confidentiality;
- · Governing law is a state other than California;
- No end date to the CDA;
- Publication restrictions

After the CDA is signed and the potential investigator receives the protocol, s/he will determine the feasibility of conducting the clinical trial at UC San Diego.

Some of the issues that should be considered are:

- Does the investigator have the necessary patient population;
- Is the protocol well designed;
- Are the study timelines reasonable;
- Does the investigator's staff have the time to take on another study.

Once the decision is made to conduct the clinical trial, the investigator should start the IRB submission and (in parallel) submit the appropriate paperwork to OCTA. Please be prepared to provide OCTA with the IRB number.

Last updated: 18 Sep 2019

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