

## Section 4. Informed Consent

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### 4. Introduction

This section provides information on informed consent procedures for MTN-038. Informed consent is required for Screening, Enrollment, and Long-term Storage and Future Testing, for which MTN-038 uses one consolidated Informed Consent Form (ICF). However, depending on IRB/EC requirements, sites may choose to separate consent for any of these components. If this is done, each separate ICF must contain all required elements of informed consent.

Depending on IRB/EC requirements, sites may choose to use a separate informed consent form specifically for the consent of long term specimen storage and possible future research testing; however, if this is done, all required elements of the informed consent must be contained on the form.

#### 4.1 Overview of Informed Consent Requirements and Procedures

Informed consent is a process by which an individual voluntarily expresses their willingness to participate in research, after having been informed of all aspects of the research that are relevant to their decision. Informed consent is rooted in the ethical principle of respect for persons. It is not merely a form or a signature, but a process, involving information exchange, comprehension, voluntariness, and documentation. Each of these aspects of the process is described in greater detail below. Please refer to Section 4.8 of the *International Conference on Harmonization (ICH) Consolidated Guidance for Good Clinical Practice (GCP)* and the informed consent section of the DAIDS policy on *Requirements for Source Documentation in DAIDS Funded and/or Sponsored Clinical Trials* for further guidance on the informed consent process and documentation requirements.

US regulations (45 CFR 46.116) specify the elements of informed consent that must be conveyed to research participants through the informed consent process. It is the responsibility of the IoR, and all delegated study staff involved in the informed consent process, to deliver all required information to potential study participants.

Based on the technical and regulatory reviews that are completed as part of the MTN protocol development and study activation processes, there is adequate assurance that once the MTN LOC (FHI 360) has activated a site for study implementation, site-specific informed consent forms specify all information required by the regulations. However, responsibility for informed consent does not end with preparation of an adequate informed consent form. It is the responsibility of the IoR and designated study staff to perform the following:

- Deliver all required information in a manner that is understandable to potential study participants
- Assure that informed consent is obtained in a setting free of coercion and undue influence
- Confirm that the participant comprehends the information
- Document each step of the process

## 4.2 Site-Specific Informed Consent Forms

A sample ICF is provided in the MTN-038 study protocol. Sites are responsible for adapting the sample as needed for local use. Local adaptation may include reformatting the consent forms in accordance with local IRB/EC requirements. Sites are responsible for following the procedures in the MTN MOP and the DAIDS Protocol Registration Manual when adapting site-specific ICFs. All ICFs must be reviewed and approved by MTN LOC (FHI 360) prior to IRB/EC submission. After regulatory approval is obtained, the approved ICF must be submitted to the DAIDS PRO prior to its initial use.

Each site is responsible for preparing bulk supplies of their approved ICFs and only using the currently approved versions of the ICFs during the study. Upon receiving final IRB/EC and any other applicable regulatory approval(s) for an amendment to ICF, sites should submit the updated version to DAIDS PRO per the timelines outlined in the protocol registration manual. Re-consenting of participants with the newly approved ICF(s) should occur immediately, meaning without delay, usually by or at the participant's next study visit.

## 4.3 SOP for Obtaining Informed Consent

As a condition for study activation, each site must establish an SOP for obtaining informed consent from potential study participants by which the informed consent process will be conducted. This SOP should minimally contain the elements listed below.

- The minimum legal age to provide independent informed consent for research at the study site
- Procedures for determining participant identity and age
- Procedures for determining participant literacy
- Procedures for providing all information required for informed consent to the participant
- Procedures for determining participant comprehension of the required information
- Procedures to ensure that informed consent is obtained in a setting free of coercion and undue influence
- Procedures for documenting all the required elements of the informed consent process
- Storage locations for blank ICFs
- Storage locations for completed ICFs
- Procedures (e.g., color-coding) to ensure that different versions of the ICFs are easily distinguished and used appropriately
- Procedures for implementing a change in the version of the ICF used
- Staff training requirements
- Staff responsibilities for all of the above (direct and supervisory)
- QC/QA procedures related to the above (if not specified elsewhere)

## 4.4 Informed Consent for Screening and Enrollment

Informed consent must be obtained before performing any “on-study” procedures at the Screening Visit. For participants who do not consent to study participation, no procedures should be performed and no data that can be linked to the participant’s name or other personal identifier(s) should be recorded.

Informed consent should be reviewed with the participant at the enrollment visit to ensure that the participant clearly understands all information and is still willing to participate in the study. Review of the informed consent must be documented in the participant's study files.

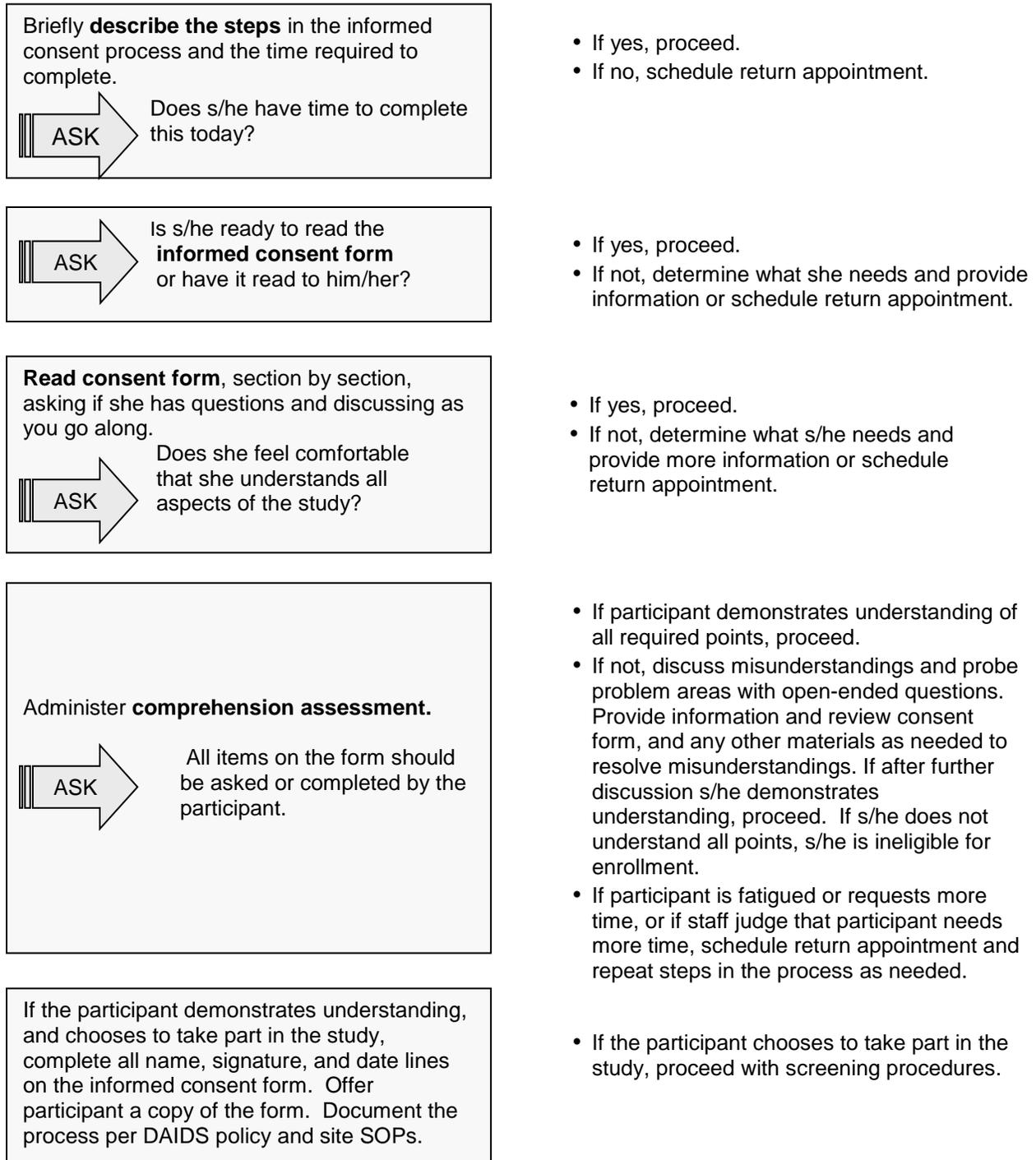
An overview of the standardized approach to the informed consent process is provided in Figure 4-1. Additional details related to key steps in the process are provided in the remainder of this section.

#### **4.4.1 Informed Consent for Specimen Storage and Possible Future Research Testing**

Study participants are asked to provide informed consent for long term storage of biological specimens and related health data for possible future research testing. Related health data may include demographic information such as race, ethnicity, sex, and medical conditions. Participants may choose to not have their specimens or health data stored for possible future research testing or withdraw their consent for specimen storage at any time and still remain in the study.

For participants who do not consent to specimen and health data storage and possible future research testing, all specimens are still collected and stored on-site per protocol requirements. These specimens will be retained until the study is completed and all protocol-specified testing has been done. Thereafter, sites should request permission from the MTN LC to destroy any remaining specimens already collected from these participants. Participants who provide consent to specimen and health data storage and possible future research testing will have their remaining (leftover) samples along with their demographic information kept at the end of the study.

**Figure 4-1  
Overview of MTN-038 Informed Consent Process**



## 4.5 Informed Consent Support Materials

### 4.5.1 Other Informed Consent Visual Aids

Use of visual aids is encouraged throughout the informed consent process to facilitate participant comprehension. Each site should determine the most appropriate visual aids for its study population and ensure that a “kit” containing each of these aids is available in each room where informed consent discussions take place. Sample VR illustrations and instructions have been provided to each site to use as visual aids. In addition to the visual aids decided upon at the site, it may be helpful to point out such things as a locked file cabinet, a referral clinic across the way, or a calendar on the wall. It may not be necessary to use each visual aid with each participant. Study staff should use their best judgment of each participant’s information needs and how best to address those needs.

Suggested visual aids for the site to consider using are as follows:

- Calendar with study visit schedule
- Sample VR
- Urine specimen cup
- Blood collection tubes
- Pelvic model, speculum, and/or anoscope
- VR insertion instructions

## 4.6 Comprehension Assessment

The participant must not sign the informed consent form until fully understanding the information contained in the informed consent, including visit procedures. Site SOPs should explain the procedures that study staff members are responsible for implementing to ensure that each participant understands the screening process and the study prior to signing the study informed consent form, respectively, and undertaking any study procedures.

A comprehension assessment should be conducted and documented prior to a participant signing the ICF. This assessment should occur after the participant has completed the informed consent discussion described above and before the participant is asked to sign the ICF. It is expected that study staff administering the informed consent and assessing comprehension will be sufficiently knowledgeable about MTN-038 to make good judgments about the potential participants’ understanding of the required information.

### 4.6.1 Comprehension Assessment Tools and Scoring System

Templates of two assessment tools are available as separate electronic files on the the MTN-038 webpage. Sites may use the tools as provided or may choose to adapt for their local use. All comprehension assessment tools should be submitted to local IRB/ECs for approval prior to use. Detailed instructions for use of all comprehension tools must be specified in the site SOP for obtaining informed consent.

- Open Ended Assessment: The open ended-assessment tool is structured around open-ended questions that correspond with the required elements of informed consent for research. Each question should be read to potential participants, giving them time to respond to each one. Each question should be satisfactorily answered by the participant before moving to the next question. For each question, the checklist specifies particular points that must eventually be included in the participant’s response. These are identified on the tool as “Required Points of Comprehension.”
- True/False Assessment: This assessment tool is also structured around questions that correspond with the required elements of informed consent, but uses true/false questions that may be administered either orally or written.

Regardless of the method used to assess comprehension, if the assessment results indicate misunderstanding of any aspect of the study, site staff should review those aspects again until the participant fully understands them. Site staff should ensure complete comprehension prior to the participant providing written informed consent.

If, after all possible efforts are exhausted, the participant is not able to demonstrate adequate understanding of the study, do not ask him/her to sign the ICF to screen/enroll in the study. Similarly, if

the participant has concerns about possible adverse impacts if they were to take part in the study, or indicates that s/he may have difficulty adhering to the study requirements, do not ask him/her to sign the ICF.

#### **4.6.2 Documenting the Comprehension Assessment**

The comprehension assessment tool is considered a study source document that should be completed, handled, and retained in the participant's study file like any other source document. After administering the assessment tool, study staff should carefully review the form to verify that all required points have been satisfactorily addressed by the participant and that this is adequately documented. Consideration should be given to having two study staff members complete this verification because failure to document comprehension of all required points will be considered an informed consent process protocol deviation. Comments may be recorded in a designated area on the form (and on the back of the form if additional space is needed) or on an informed consent coversheet (refer to SSP Section 4.7 below)

After the informed consent process is completed, the outcome of the process should be recorded directly on the assessment tool and on the informed consent coversheet and the staff member who completed the checklist should ensure his or her signature is recorded in the space provided.

#### **4.7 Documenting the Informed Consent Process**

US FDA regulations and ICH E6 guidelines require that informed consent be documented by "the use of a written informed consent form approved by the IRB/EC and signed and dated by the subject or the subject's legally authorized representative at the time of consent."

To fulfill this requirement, complete all signature and date lines on the informed consent form in dark ink. Legal names should be used. Fabricated/falsified names should not be used. Initials may not be used in place of a participant's full surname, and it is strongly recommended that initials not be used in place of a participant's full first name. However, if a participant commonly signs his/her name using an initial for his/her first name, the initial may be used, provided this practice is acceptable per the policies of the study site institution(s).

In addition to completing signature requirements as described above, the participant must indicate on the ICF whether s/he agrees storage and future testing of biological specimens. The participant may decline this option and still enroll in MTN-038.

The DAIDS policy on Requirements for Source Documentation in DAIDS Funded and/or Sponsored Clinical Trials lists detailed requirements and suggestions for documenting the informed consent process. All requirements listed in the DAIDS policy must be met. In order to also meet some of the suggestions listed in the DAIDS policy, site staff are strongly encouraged to use an Informed Consent Coversheet similar to the sample included on the MTN-038 webpage under Study Implementation Materials. Sites choosing to use a coversheet should list the coversheet as a source document in their Source Document SOP for MTN-038 and should use the coversheet consistently to document all informed consent processes with all participants. The first half of the coversheet (items up to and including "Start time of informed consent discussion") should be completed at the start of the IC session. The remainder should be completed at the end of the informed consent session. If a site chooses not to utilize the Informed Consent Coversheet, all elements of each informed consent process must be documented in detail in a signed and dated chart note.

It is essential that all informed consent documentation (e.g., the ICF, the coversheet) document that informed consent was obtained before any study procedures were conducted.

Regulations require that participants be given a signed copy of the ICF(s). If a participant opts not to receive a copy, document this on the cover sheet or chart note and offer the participant an alternate form of study contact information (e.g., a contact card or appointment card) in lieu of the full ICF.

#### **4.8 Ongoing Assessment of Participant Comprehension**

For enrolled participants, informed consent is an ongoing process that continues throughout the study follow-up period. Periodically, at study visits, staff should assess participants' comprehension using a discussion style similar to the enrollment assessment. The key elements of informed consent also should be reviewed at study follow-up visits. Elements of informed consent can be reviewed at every visit, or periodically, as per site SOPs. Reviewing key elements of informed consent during follow-up visits may focus on the remainder of study participation. These informal assessments will help to identify aspects of

the enrollment informed consent process that are, and are not, optimally effective for study participants. This discussion should be noted in the participant's chart note for that visit date.