Session M212

A Brief History of Human Research Protections and Ethics – from Nuremburg to St. Kitts

James Riddle, MCSE, CIP, CPIA, CRQM
Vice President of Institutional Services
Advarra
Experience

> Over 15 years developing human research protection programs
> Assistant Director at the Fred Hutchinson Cancer Research Center
> Vice President for Operations at large independent IRB
> AAHRPP site visitor
> Published author and frequent speaker on human research protection issues

Certifications & Affiliations

> Certified IRB professional (CIP)
> Certified Professional IACUC Administrator (CPIA)
> Microsoft Certified Systems Engineer (MCSE)
> Clinical Trial Transformation Initiative, Steering Committee Member (CTTI)
> Collaborative Institutional Training Initiative, Author and HRP Steering Committee Member (CITI)
> Alliance for Clinical Research Excellence and Safety, SASI Accreditation Domain Leader (ACRES)
> Northwest Association for Biomedical Research, Emeritus Board Member (NWABR)
> IRB Advisor, Editorial Board Member
> Public Responsibility in Medicine and Research, Faculty Member and Mentor (PRIM&R)
Some History and a Question
Through the Centuries

**18th C.**

https://www.forbes.com/sites/kionasmith/2019/05/17/why-edward-jenner-infected-his-gardeners-son-with-smallpox/#8dd3c9d12e91

**19th C.**


**20th C.**

Question

When is it OK to experiment on another human being...
Nuremberg, 1946

Prosecution’s Opening Statement
Nuremberg Nazi Doctors’ Trial (1946)

“The defendants in this case are charged with murders, tortures and other atrocities committed in the name of medical science...for the most part [the victims] ...are nameless dead

The...distorted concepts which brought about these savageries are not dead. They must not become a spreading cancer...for the reason so well-stated by Justice Jackson in this courtroom a year ago...”

General Telford Taylor

https://collections.ushmm.org/search/catalog/pa1053320
https://www.ushmm.org/information/exhibitions/online-exhibitions/special-focus/doctors-trial
THOSE NAZI DOCTORS DID HORRIBLE THINGS!!

GOOD THING WE'RE NOT NAZIS!!
Willowbrook Hepatitis Study
1956-1963
Jewish Chronic Disease Hospital
1963
WASHINGTON, July 25---For 40 years the United States Public Health Service has conducted a study in which human beings with syphilis, who were induced to serve as guinea pigs, have gone without medical treatment for the disease and a few have died of its late effects, even though an effective therapy was eventually discovered.

The study was conducted to determine from autopsies what the disease does to the human body.

Officials of the health service who initiated the experiment have long since retired. Current officials, who say they have serious doubts about the morality of the study, also say that it is too late to treat the syphilis in any surviving participants.

Doctors in the service say they are now rendering whatever other medical services they can give to the survivors while the study of the disease's effects continues.

Dr. Merlin K. DuVal, Assistant Secretary of Health, Education and Welfare for Health and Scientific Affairs, expressed shock on learning of the study. He said that he was making an immediate investigation.

The experiment, called the Tuskegee Study, began in 1932 with about 600 black men, Continued on Page 8, Column 1
Ethical Concerns

This examination is a very special one and after it is finished you will be given a special treatment if it is believed you are in a condition to stand it.

REMEMBER THIS IS YOUR LAST CHANCE FOR SPECIAL FREE TREATMENT. BE SURE TO MEET THE NURSE.

https://msu.edu/course/hm/546/tuskegee.htm
The Belmont Report

Office of the Secretary

Ethical Principles and Guidelines for the Protection of Human Subjects of Research

The National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research

April 18, 1979

AGENCY: Department of Health, Education, and Welfare.

ACTION: Notice of Report for Public Comment.

SUMMARY: On July 12, 1974, the National Research Act (Pub. L. 93-348) was signed into law, thereby creating the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research. One of the charges to the Commission was to identify the basic ethical principles that should underlie the conduct of biomedical and behavioral research involving human subjects and to develop guidelines which should be followed to assure that such research is conducted in accordance with those principles. In carrying out the above, the Commission was directed to consider: (i) the boundaries between biomedical and behavioral research and the accepted and routine practice of medicine; (ii) the role of assessment of risk-benefit criteria in the determination of the appropriateness of research involving human subjects; (iii) appropriate guidelines for the selection of human subjects for participation in such research and (iv) the nature and definition of informed consent in various research settings.

The Belmont Report attempts to summarize the basic ethical principles identified by the Commission in the course of its deliberations. It is the outgrowth of an intensive four-day period of discussions that were held in February 1976 at the Smithsonian Institution's Belmont Conference Center supplemented by the monthly deliberations of the Commission that were held over a period of nearly four years. It is a statement of basic ethical principles and guidelines that should assist in resolving the ethical problems that surround the conduct of research with human subjects. By publishing the Report in the Federal Register, and providing reprints upon request, the Secretary intends that it may be made readily available to scientists, members of Institutional Review Boards, and Federal employees. The two-volume Appendix, containing the lengthy reports of experts and specialists who assisted the Commission in fulfilling this part of its charge, is available as DHEW Publication No. (OS) 78-0013 and No. (OS) 78-0014, for sale by the

https://digital.library.unt.edu/ark:/67531/metadc1213679/
Principles

Respect for Persons

- Informed consent

Beneficence

- Risk/benefit assessment

Justice

- Selection of subjects
Regulations

Food and Drug Administration (FDA)
21 CFR Parts 50 & 56

Health and Human Services (HHS)
Office of Human Research Protections (OHRP)
45 CRF 46 (AKA: Common Rule)
Criteria of IRB approval (.111)

- **Risks to subjects are minimized** by using procedures which are consistent with sound research design and resources which do not unnecessarily expose subjects to risk.
- **Risks** to subjects are reasonable in relation to anticipated benefits, if any, to subjects, and the importance of knowledge that may reasonably be expected to result.
- **Selection of subjects** is equitable.
- **Informed consent process and compensation** will be sought from each prospective subject or the subject's legally authorized representative.
- Informed consent will be appropriately documented.
- Where appropriate, the research plan makes adequate provision for monitoring the data collected to ensure the safety of subjects.
- Where appropriate, there are adequate provisions to protect the privacy of subjects and to maintain the confidentiality of data.
- Appropriate safeguards for special populations.
The Belmont Report

Theory...

...and Practice
Did Belmont Fix it?
Some Positive

http://content.time.com/time/covers/0,16641,19940425,00.html
Some Negative

U.S. News & World Report, January 1994

http://content.time.com/time/covers/0,16641,20020422,00.html
Some Tragic
The Response – early 21st Century
Continued Focus

[Images of book covers and links to related resources]

https://www.amazon.com/Immortal-Life-Henrietta-Lacks-ebook/dp/B00338QENI
St. Kitts – Did we fix it?

https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6132216/


https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6132216/
The success of clinical research lies on the element of trust – trust in researchers, trust in hospitals, and trust in the research process itself... Without trust at all of these levels, research could not be carried out. Potential subjects would be unwilling to put themselves in harm’s way if they perceived that they would be used by researchers, institutions, or those who fund research, and society at large would be unwilling to have its tax dollars spent on an enterprise that neither enjoyed nor deserved its trust.

Kahn and Mastroianni, 2001
Thank you!

Questions?

James Riddle, MCSE, CIP, CPIA, CRQM
Vice President of Institutional Services
Advarra

✉️ james.riddle@advarra.com