INCIDENTAL FINDINGS	SOP 4.4.04

1. Purpose & Policy

The purpose of this SOP is to provide guidance to researchers regarding when and how to report incidental research findings to participants under Caltech's IRB Policy on Incidental Findings. IRB Policy *Section 4.4.*

2. General Information

An incidental finding (IF) is a finding concerning an individual research participant that has potential importance to the health of the individual and is discovered in the course of conducting research but is beyond the aims of the study.

3. Training Requirements

Other than the normally required and study specific training for all human subjects research, there are no additional specific training requirements associated with disclosing incidental findings; however, investigators should carefully and read follow this guidance. Additionally, CITI has an available online training module on incidental findings. Please contact the IRB Administrator to take the CITI training.

4. Procedure (see also, Figure 1 below)

A. Determine whether your research is likely to yield findings of clinical significance, i.e., a finding that is analytically valid and reveals a well-recognized risk of a health condition, outside of the study aims. For example, findings of a BRCA1 gene mutation using a genetic test expected to produce reliable results or a brain mass revealed by an MRI scan would have clinical significance.

   a. If your research is unlikely to yield findings of clinical significance, you do not have to address IFs in your protocol.

   b. If your research is likely to yield findings of clinical significance, proceed to B below.

B. Determine whether your research is likely to yield IFs. Because IFs must pertain to health, not all findings beyond the aims of a study qualify as "incidental findings". For example, in a family study regarding the heritability of an Alzheimer's gene, discovery of a Huntington Disease (HD) gene mutation would be an IF whereas a finding of misattributed paternity would likely not qualify as an IF given irrelevance to the participant's health.

   a. If your research is unlikely to yield IFs, you do not have to address IFs in your protocol.

   b. If your research is likely to yield IFs, proceed to C below.

C. Determine whether your incidental findings are likely to be: 1) serious or non-serious and 2) actionable or non-actionable.

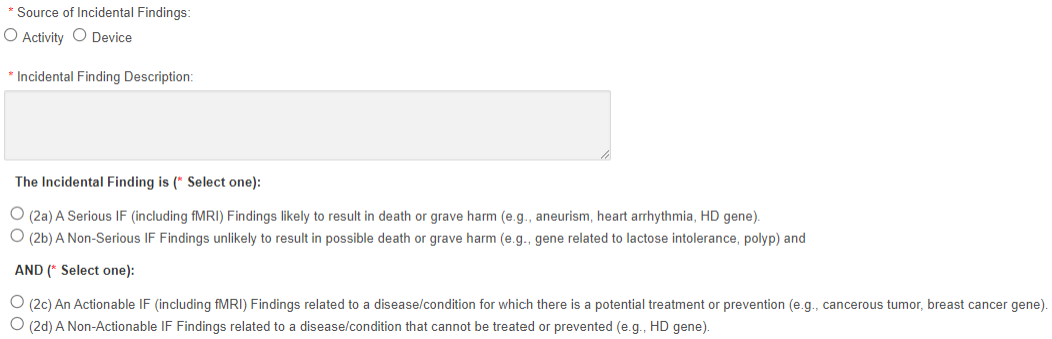
   a. **Serious IFs** are those likely to result in death or grave harm (e.g., aneurism, heart arrhythmia, HD gene).

   b. **Non-serious IFs** are those unlikely to result in possible death or grave harm (e.g., gene related to lactose intolerance, polyps).

   c. **Actionable IFs** are those related to a disease/condition for which there is a potential treatment or prevention (e.g., cancerous tumor, breast cancer gene).

   d. **Non-actionable IFs** are those related to a disease/condition that cannot be treated or prevented (e.g., HD gene).

D. Describe in your protocol the source of IF, the IF description, and the categories of IFs your research is likely to yield (i.e., serious and actionable; serious and non-actionable; non-serious and actionable; non-serious and non-actionable)

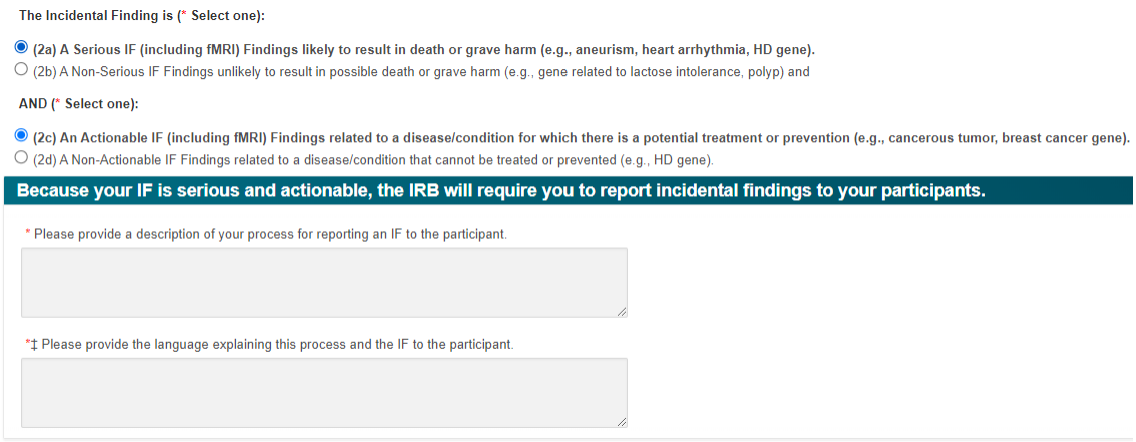


   a. IFs that are both serious and actionable must be reported to participants. Therefore, if your study is likely to yield serious and actionable IFs, you must:

      i. Describe in your protocol your process for reporting such IFs to participants (please see Section E below for further information to be included in the protocol).

      ii. Include language in your Informed Consent Form informing potential participants that such IFs will be returned:

         1. **Sample Language**: It is possible that we will discover health related information about you unrelated to the purpose of this study, though we expect this to be a rare occurrence. If we believe that the information is of urgent medical importance (i.e., it pertains to a serious health condition for which you can seek treatment), we will share this information with you. If you do not wish to be informed of such information, you may not participate in this study.


The Incidental Finding is (* Select one):

(2a) A Serious IF (including fMRI) Findings likely to result in death or grave harm (e.g., aneurism, heart arrhythmia, HD gene).
(2b) A Non-Serious IF Findings unlikely to result in possible death or grave harm (e.g., gene related to lactose intolerance, polyp) and

AND (* Select one):

(2c) An Actionable IF (including fMRI) Findings related to a disease/condition for which there is a potential treatment or prevention (e.g., cancerous tumor, breast cancer gene).
(2d) A Non-Actionable IF Findings related to a disease/condition that cannot be treated or prevented (e.g., HD gene).

Because your IF is serious and actionable, the IRB will require you to report incidental findings to your participants.

* Please provide a description of your process for reporting an IF to the participant.

*‡ Please provide the language explaining this process and the IF to the participant.

b. For all other categories of IFs (i.e., serious and non-actionable; non-serious and actionable; non-serious and non-actionable), determine whether to always report; never report; or allow participants to choose to be informed of such IFs, and memorialize your choice in your protocol. In making such determinations, you should weigh the likely health benefits of informing the participant against the likely harms, including psychological distress. Specifically, disclosure of a non-actionable IF is unlikely to yield health benefits, yet could result in psychological distress, particularly if serious (e.g., HD gene). However, you should also consider whether participants have a right to know, or a right to decide whether to know, certain health information about themselves. Finally, you should consider how you would feel knowing, but not disclosing, certain information to participants.

    i. If you decide to let participants choose what types of IFs to be informed of, include language in your Informed Consent Form to allow for this election.

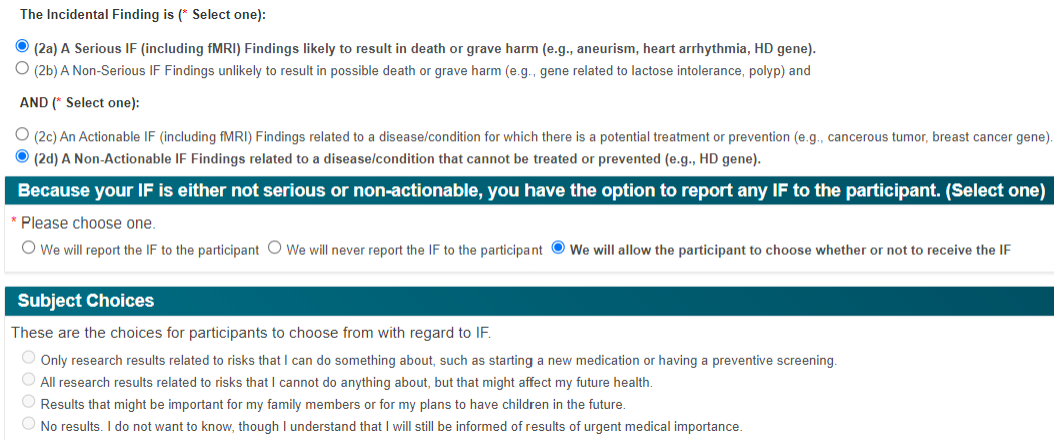
        1. **Sample Language:**

            "If we incidentally discover information about you from research tests and scans that may be important to your health, **but are not of urgent medical importance (i.e. research results that pertain to a serious health condition for which you can seek treatment)**, do you want to be contacted with that information?

            What types of research results would you like to receive?

            - Only research results related to risks that I can do something about, such as starting a new medication or having a preventive screening.
            - All research results related to risks that I cannot do anything about, but that might affect my future health.
            - Results that might be important for my family members or for my plans to have children in the future.

- No results. I do not want to know, though I understand that **I will still be informed of results of urgent medical importance.**


The Incidental Finding is (* Select one):

(2a) A Serious IF (including fMRI) Findings likely to result in death or grave harm (e.g., aneurism, heart arrhythmia, HD gene).
(2b) A Non-Serious IF Findings unlikely to result in possible death or grave harm (e.g., gene related to lactose intolerance, polyp) and

AND (* Select one):

(2c) An Actionable IF (including fMRI) Findings related to a disease/condition for which there is a potential treatment or prevention (e.g., cancerous tumor, breast cancer gene).
(2d) A Non-Actionable IF Findings related to a disease/condition that cannot be treated or prevented (e.g., HD gene).

Because your IF is either not serious or non-actionable, you have the option to report any IF to the participant. (Select one)

* Please choose one.
We will report the IF to the participant | We will never report the IF to the participant | We will allow the participant to choose whether or not to receive the IF

Subject Choices

These are the choices for participants to choose from with regard to IF.
Only research results related to risks that I can do something about, such as starting a new medication or having a preventive screening.
All research results related to risks that I cannot do anything about, but that might affect my future health.
Results that might be important for my family members or for my plans to have children in the future.
No results. I do not want to know, though I understand that I will still be informed of results of urgent medical importance.

E. If you anticipate your study will yield IFs that are both serious and actionable and/or if you choose to report, or allow participants to learn, other categories of IFs, you must further determine, and specify in your protocol, who will report IFs to participants pursuant to the following guidelines:

   Serious and Actionable: Preferably, a licensed professional or clinician of a relevant specialty (e.g. radiologist, genetic counselor, psychologist) should disclose IFs to participants. In the absence of a lab's ability to identify a licensed professional or clinician as listed above, an investigator with the appropriate expertise (e.g., a post-doc that also has an MD) and training to disclose IFs to participants should be identified in the protocol and approved by the IRB to deliver IFs.

   Other Categories: Only appropriately trained personnel may disclose IFs to participants. Upon review of your protocol, the IRB may determine the designated personnel are not appropriately situated to disclose IFs and in which case, will recommend alternative personnel to make such disclosure.

F. If an unexpected IF is identified, and a plan to address the IF is not outlined in the protocol, PIs should notify the IRB. The notification should include a recommendation as to whether the IF meets the criteria for disclosure and if so, the plan for disclosure. Once a disclosure plan is approved by the IRB, your protocol must be updated to reflect the plan.

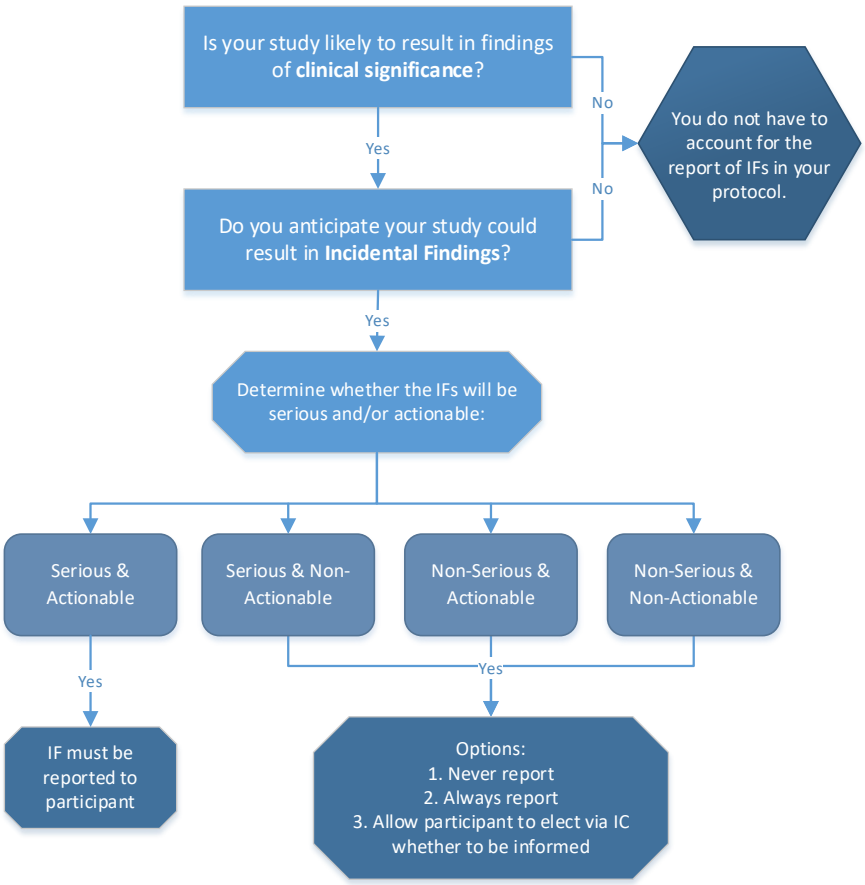

Is your study likely to result in findings of clinical significance?
No
You do not have to account for the report of IFs in your protocol.
Yes
Do you anticipate your study could result in Incidental Findings?
No
Yes
Determine whether the IFs will be serious and/or actionable:
Serious & Actionable
Serious & Non-Actionable
Non-Serious & Actionable
Non-Serious & Non-Actionable
Yes
Yes
IF must be reported to participant
Options:
1. Never report
2. Always report
3. Allow participant to elect via IC whether to be informed

Figure 1