

Table 3. Definitions of Regulatory Challenges

Regulatory Challenge	Definition	Reference
Common Rule	The "Common Rule" is the popular term for the Federal (U.S.) Policy for the Protection of Human Subjects 45 CFR part 46, which outlines the criteria and mechanisms for IRB review of human subjects research.	Office for Human Research Protections (2016) ⁽¹⁾
Community Consultation	The requirement for community consultation is one of the special protections provided whenever an Exception From Informed Consent is granted for emergency research. It serves as a “vehicle to listen to the community’s interests and concerns, to address ethical issues, and to communicate information about the research to the community.”	Ragin, et al. (2008) ⁽²⁾
Enrollment	Determining eligible research participants for a research study.	Chamberlain, et al. (2009) ⁽³⁾
Exception from Informed Consent (EFIC)	EFIC allows patients to be treated as part of research studies under special and rare circumstances. It can only be used in life-threatening emergencies, when there is a possibility for direct benefit to participants, and when consent is not possible. These studies are very public and transparent and have been discussed in the community.	Klein, et al. (2018) ⁽⁴⁾
Human Subject Protection	Human Subjects Protections refers to the federal, state, and institutional policies, procedures, and ethical considerations that protect the rights and welfare of people who participate in research as the subjects of that research.	Perlman (2008) ⁽⁵⁾ University of Michigan (2022) ⁽⁶⁾
Informed Consent	The process in which a health care provider/researcher educates a patient about the risks, benefits, and alternatives of a given procedure or intervention.	Shah et al. (2021) ⁽⁷⁾

Institutional Review Board (IRB)	An administrative body established to protect the rights and welfare of human research subjects recruited to participate in research activities conducted under the auspices of the institution with which it is affiliated. This group has been formally designated to review and monitor biomedical research involving human subjects.	Mansbach, et al. (2007) ⁽⁸⁾
Legally Authorized Representative (LAR)	A person authorized under applicable law to consent on behalf of a prospective human subject to the subject's participation in a research study and to authorize the use or disclosure of protected health information.	Gillenwater (2008) ⁽⁹⁾ Biros, et al. (2015) ⁽¹⁰⁾
Liability	Legal risks associated with research involving human subjects.	Kapp (2006) ⁽¹¹⁾
Participant Incentives	Something made to compensate individuals for participation in research studies.	Bernstein and Feldman (2015) ⁽¹²⁾
Patient Perception	Refers to the patients' view of research.	Ventolini, et al. (2014) ⁽¹³⁾
Patient Safety	Prioritizing patient/participant welfare.	Iseron (2007) ⁽¹⁴⁾
Recruitment	Registering or entering eligible research participants into a research study. The dialogue that takes place between an investigator and a potential research participant.	Patel, et al. (2003) ⁽¹⁵⁾
Research Ethics	Norms of conduct that distinguish between acceptable and unacceptable behavior in research. A set of ethical guidelines that guide us on how scientific research should be conducted and disseminated.	Shah (2011) ⁽¹⁶⁾
Waiver of Informed Consent (WIC)	A waiver of informed consent requires a researcher to seek approval from an ethical review body to use a person's personal information or personal health information without actually obtaining consent directly from the individual in order to use that information in a research project.	Salzman, et al. (2007) ⁽¹⁷⁾ Klein, et al. (2018) ⁽⁴⁾

REFERENCES

1. U.S. Department of Health & Human Services, Office for Human Research Protections. Federal policy for the protection of human subjects ('common rule'). Last updated March 18, 2016. Available from: <https://www.hhs.gov/ohrp/regulations-and-policy/regulations/common-rule/index.html>. Accessed March 17, 2022.
2. Ragin DF, Ricci E, Rhodes R, Holohan J, Smirnoff M, Richardson LD. Defining the "community" in community consultation for emergency research: findings from the community VOICES study. *Soc Sci Med*. 2008;66:1379-92.
3. Chamberlain JM, Lillis K, Vance C, Brown KM, Fawumi O, Nichols S, Davis CO, Singh T, Baren JM, the Pediatric Emergency Care Applied Research Network (PECARN). Perceived challenges to obtaining informed consent for a time-sensitive emergency department study of pediatric status epilepticus: results of two focus groups. *Acad Emerg Med*. 2009;16:763-70.
4. Klein L, Moore J, Biros M. A 20-year review: the use of exception from informed consent and waiver of informed consent in emergency research. *Acad Emerg Med*. 2018;25:1169-77.
5. Perlman D. Public health practice vs research: implications for preparedness and disaster research review by state health department IRBs. *Disaster Med Public Health Prep*. 2008;2:185-91.
6. University of Michigan. Human subjects protections. Updated 2022. Available from: <https://orsp.umich.edu/glossary/human-subjects-protections#:~:text=%22Human%20Subjects%20Protections%22%20is%20a,the%20subjects%20of%20that%20research>. Accessed March 17, 2022.
7. Shah P, Thornton I, Turrin D, Hipskind JE. Informed consent. In: *StatPearls [Internet]*. Last updated June 14, 2021. Treasure Island (FL): StatPearls Publishing. Available from: <https://www.ncbi.nlm.nih.gov/books/NBK430827/>. Accessed March 17, 2022.
8. Mansbach J, Acholonu U, Clark S, Camargo CA, Jr. Variation in institutional review board responses to a standard, observational, pediatric research protocol. *Acad Emerg Med*. 2007;14:377-80.
9. Gillenwater GE. FDA's emergency research rule: an inch given, a yard taken. *Food Drug Law J*. 2008;63:217-56.
10. Biros MH, Dickert NW, Wright DW, Scicluna VM, Harney D, Silbergleit R, et al. Balancing ethical goals in challenging individual participant scenarios occurring in a trial conducted with exception from informed consent. *Acad Emerg Med*. 2015;22:340-6.
11. Kapp MB. Ethical and legal issues in research involving human subjects: do you want a piece of me? *J Clin Pathol*. 2006;59:335-9.
12. Bernstein SL, Feldman J. Incentives to participate in clinical trials: practical and ethical considerations. *Am J Emerg Med*. 2015;33:1197-200.
13. Ventolini G, Goodwin B, Woody C. Patient perceptions on the subject of medical research. *Drug Healthc Patient Saf*. 2014;6:151-3.
14. Iserson KV. Has emergency medicine research benefited patients? An ethical question. *Sci Eng Ethics*. 2007;13:289-95.
15. Patel MX, Doku V, Tennakoon L. Challenges in recruitment of research participants. *Adv Psychiatr Treat*. 2003;9:229-38.
16. Shah N. Ethical issues in biomedical research and publication. *J Conserv Dent*. 2011;14:205-7.
17. Salzman JG, Frascione RJ, Godding BK, Provo TA, Gertner E. Implementing emergency research requiring exception from informed consent, community consultation, and public disclosure. *Ann Emerg Med*. 2007;50:448-55, 55.e1-4.