Pre-approval Access Patient Advocacy Summit

Glossary of Pre-Approval Access Terminology

ClinicalTrials.gov: ClinicalTrials.gov is an online database of publicly and privately supported clinical trials conducted around the world. Doctors and patients may consult this database when seeking access to an experimental drug, via either a clinical trial or pre-approval access. While ClinicalTrials.gov is operated by the U.S. National Institutes of Health (NIH), being listed in the database should not be seen as an endorsement by the NIH or the U.S. Food and Drug Administration (FDA) of the value of any agent or product.

Compassionate Use: "Compassionate use" is access to experimental drugs that have not yet been approved for sale or use by the U.S. FDA or relevant regulatory authority, such as Health Canada. The term is often used interchangeably with "expanded access" and "pre-approval access."

Often experimental drugs may be available to patients through clinical trials. Compassionate use is the provision of the drug to patients who are unable to participate in a clinical trial because of severity of illness or some other factor.

Sponsors decide whether to make their experimental drugs available to patients via compassionate use. Should a sponsor, often a private company, be willing to provide the experimental drug, the FDA must approve the planned use of that drug. FDA regulations specify two groups of people eligible for compassionate use: 1) those with life-threatening diseases or conditions for which "there is a reasonable likelihood that death will occur within a matter of months or in which premature death is likely without early treatment" and 2) those with serious diseases or conditions that have a "substantial impact on day-to-day functioning" (21 Code of Federal Regulations 312.300(b)). In most cases, patients who seek compassionate use must have exhausted all approved therapies for their condition, and be unable to enroll in a clinical trial.

Expanded Access: "Expanded access" is the FDA's term for access outside clinical trials to experimental drugs that the agency has not yet approved. Expanded access is an umbrella term that applies to single-patient requests and programs for groups, either intermediate-size or larger.

Expanded Access Programs (EAPs): EAPs are designed to permit larger groups of patients to access an experimental drug. EAPs are intended to allow patients who may benefit from the drug earlier access

*These terms and their usage reflect the United States' regulatory system and may not be applicable in other countries. For complete regulatory definitions and requirements, see, for example, 21 CFR Part 312, Subpart I.

to it before it is commercially available, even though it has not secured FDA approval. For both single patient requests and EAPs, treatment of the patient, rather than collection of data, is the primary goal. However, in an EAP, data are frequently collected from patients enrolled in the program.

Form FDA 3926: Form 3926 is a new FDA form for use by physicians when submitting requests for expanded access to investigational drugs, including emergency requests. This form is designed specifically for single patient requests, not for EAPs. In 2016, this form was created as a shorter, streamlined alternative to Form FDA 1571, which still must be used for EAPs.

Institutional Review Board (IRB): An IRB, sometimes referred to as a research ethics committee, is a committee charged with reviewing, approving, and monitoring biomedical and behavioral research involving humans. In the United States, pre-approval access requires review and approval by an IRB. The committee review follows sponsor permission and FDA approval.

Investigational New Drug (IND): U.S. federal law requires that a drug or other therapeutic agent be approved for use before it can be transported and distributed in the United States. An IND exemption is the means through which a sponsor obtains permission from the FDA to distribute the agent before it has this approval. Under an IND, sponsors are able to distribute an experimental drug to study it in clinical trials needed for approval. An IND must also be submitted to receive access to an experimental drug for compassionate use.

There are four types of expanded access INDs: 1) Expanded access for single patients, which allows compassionate use of a drug by an single patient; 2) Emergency Use IND, which allows the FDA to authorize the use of an experimental drug in an emergency situation, such as during the 2014 Ebola outbreak; 3) Intermediate-size patient population IND, which allows multiple patients to gain compassionate use access to an experimental drug, and 4) Treatment IND, which is submitted for experimental drugs showing promise in clinical testing for serious or immediately life-threatening conditions.

Navigator: The Reagan-Udall Foundation, a nonprofit organization that supports the FDA, is considering creating an online navigator to help assist doctors and patients with the process of gaining access to experimental drugs. The navigator is expected to break down some of the barriers and technicalities associated with compassionate use and other forms of access to experimental drugs. If created, the proposed navigator will offer an explanation of what compassionate use and expanded access mean and what forms need to be completed, as well as resources on who to contact for additional guidance.

Pre-Approval Access (PAA): PAA is an umbrella term encompassing access to investigational medicines, such as expanded access programs, or compassionate use. PAA refers to any use of unapproved drugs outside of clinical trials, particularly if the intent is therapeutic rather than to gain data (research).

Sponsor: A sponsor is the person or entity that takes responsibility for and initiates a clinical trial of an investigational agent. In the context of pre-approval access, the sponsor is typically a pharmaceutical or biotech company.

Suggested Resources

New York University Working Group on Compassionate Use and Pre-Approval Website	http://www.med.nyu.edu/pophealth/divisions/medical-ethics/compassionate-use
Johnson & Johnson Strategic Framework: Pre-Approval Access to Investigational Medicines Statement	http://www.jnj.com/caring/citizenship-sustainability/strategic-framework/Pre-Approval-Access-to-Investigational-Medicines-Statement
Food and Drug Administration	www.fda.gov http://www.fda.gov/NewsEvents/PublicHealthFocus/ExpandedAccessCompassionateUse/default.htm http://www.fda.gov/drugs/developmentapprovalprocess/howdrugsaredevelopedandapproved/approvalapplications/investigationalnewdrugindapplication/default.htm
ClinicalTrials.gov	https://clinicaltrials.gov
Form FDA 1571	http://www.fda.gov/downloads/AboutFDA/ReportsManualsForms/Forms/UCM083533.pdf
Information on Form FDA 1571	http://www.fda.gov/downloads/Drugs/DevelopmentApprovalProcess/SmallBusinessAssistance/UCM351866.pdf
Information on Form FDA 3926	http://www.fda.gov/downloads/Drugs/DevelopmentApprovalProcess/SmallBusinessAssistance/UCM351866.pdf