



Case Reports

A Spectrum Health IRB Guidance Document

Purpose

This document provides guidance on when a case report requires IRB submission.

Regulatory Guidance

The federal regulations define research as a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge [45 CFR 46.102(1)].

Unless a regulatory exception applies, research involving human subjects cannot be conducted without IRB review [45 CFR 46.101(a) & 45 CFR 46.109(a)].

Discussion

Case reports generally involve the collection and presentation of detailed information about a particular patient to highlight an interesting condition, treatment, presentation or outcome. There is no intent to test a hypothesis via systematic analysis, analyze data or add to generalizable knowledge. Thus, a case report that documents the clinically indicated care of a single patient does not generally meet the regulatory definition of research. The IRB is responsible for oversight of research activities. A case report that does not meet the definition of research is not subject to IRB oversight.

A case report that only documents the observations of a patient receiving standard medical care is generally not considered research because there is no intent to test a hypothesis via systematic data analysis. However, a case report that plans to incorporate systematic data analysis of treatments and outcomes to allow possible extrapolation of the results to a larger population may satisfy the federal definition of research. Because it may meet the federal definition of research, the latter would not be considered a case report but research requiring IRB review.

When a series of patients is being reviewed, investigators usually begin to ask specific questions and systematic collection of data occurs. This moves the study closer to deriving generalizable knowledge and meeting the definition of research. The process of “testing and evaluating” the data that is

generated through the patient series is what defines this activity as research. Therefore, a case series that incorporates data collection and data analysis to answer a research question must undergo IRB review.

HIPAA Authorization in Relation to Case Reports

Whether IRB review is required or not, care must be taken to protect the confidentiality of the patient. Without specific written patient authorization, a case report cannot be submitted for publication if any of the below HIPAA identifiers are present in the manuscript [see 45 CFR 164.514(b)(2)].

1. Names;
2. All geographic subdivisions smaller than a State, including street address, city, county, precinct, and zip code;
3. All elements of dates (except year) for dates directly related to an individual, including birth date, admission date, discharge date, date of death; and all ages over 89 and all elements of dates (including year) indicative of such age, except that such ages and elements may be aggregated into a single category of age 90 or older;
4. Telephone Numbers;
5. Fax Numbers;
6. Electronic Mail Addresses;
7. Social Security Numbers;
8. Medical Record Numbers;
9. Health Plan Beneficiary Numbers;
10. Account Numbers;
11. Certificate/License Numbers;
12. Vehicle Identifiers and Serial Numbers, including License Plate Numbers;
13. Device Identifiers and Serial Numbers;
14. Web Universal Resource Locators (URLs);
15. Internet Protocol (IP) Address Numbers;
16. Biometric Identifiers, including Finger and Voice Prints
17. Full Face Photographic Images and any Comparable Images; and
18. Any other unique identifying number, characteristic, or code.

If any of these identifiers are present, written HIPAA Authorization must be obtained from the patient/parent of child. For Spectrum Health patients, it is recommended that the patient sign the “Authorization for Release of Medical Information,” document ID # X01743. (This form can be found in the Document Library on InSite, the Spectrum Health intranet.)

Authors of case reports should be aware that one of the identifiers described by HIPAA as requiring written authorization is, “Any other unique identifying number, characteristic, or code....”. If the author strips off all HIPAA identifiers, but the information associated with the subject of the article includes a “unique characteristic” which would make it identifiable to the subject, or the author has actual knowledge that the information about the subject could be used alone or in combination with other information to identify the subject, the author must obtain HIPAA Authorization.

If full-face photographs or other identifying images are included, written permission must be obtained from the patient/parent of child. For Spectrum Health patients, it is recommended that the patient sign

the “Authorization to Make and Use Patient Photographs and Images,” document ID # X06049. (This form can be found in the Document Library on InSite, the Spectrum Health intranet.)

It is recommended that prior to writing the case report, the authors should determine to which peer-reviewed journals the case report will be submitted. Once this has been decided, review the “Instructions for Authors” information from each journal’s website. Most journals have specific requirements on publishing case reports. If the journal requires a letter from the IRB before they will publish the case report, please request a Determination of Human Subjects Research from the IRB. 1.

Please contact the Office of the IRB if additional guidance is needed.

Conclusions

- Case reports involving the collection and presentation of detailed information about a particular patient to highlight an interesting condition, treatment, presentation or outcome are not required to be submitted to the IRB for approval.
- Submit for IRB review case reports that may constitute research involving human subjects:
 - Case reports incorporating systematic data analysis should be submitted.
 - Case reports testing a hypothesis should be submitted (e.g. treatment A is better than treatment B for this rare condition).
- HIPAA Authorization may be required if the case report cannot be de-identified or if the report is so unique, there is a possibility of identification even if all identifiers are removed.
- Contact the Office of the IRB at irbassist@spectrumhealth.org or 616-486-2031 if it is unclear whether a case report should be submitted or if you would like additional guidance.
- If a letter is needed to publish the case report, submit to the IRB as a “Request for Determination” submission.