ECRIN
EUROPEAN CLINICAL RESEARCH INFRASTRUCTURES NETWORK
IA-Integrating Activity

Regulatory and ethical requirements in medical device studies

Sweden

SECTIONS

A.Type of research

B. Definitions/Legal basis

C. Insurance

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A. Type of research

We have differentiated 8 types of research:

- Medical device alone with CE mark use within label
- Medical device alone with CE mark use outside label
- Medical device alone without CE mark
- Medical device combined with medicinal product with CE mark use within label
- Medical device combined with medicinal product with CE mark use outside label
- Medical device combined with medicinal product without CE mark
- Observational studies with medical device
- Registries

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Definitions in Swedish law

• Definitions exist for studies in Clinical research of :

• Medical device without CE Mark - alone or combined with medicinal product

• Medical device with CE mark use outside label - alone or combined with medicinal product

•The following are sources for the definition for clinical research in medical device studies in Sweden:

- LVFS 2003:11 (93/42/EEC) Annex XV paragraph 2.1
- LVFS 2001:5 (90/386/EEC) Annex VII paragraph 2.1

B. Definitions/Legal basis

Conventions/guideline/laws to apply

- Declaration of Helsinki

These apply for all medical device studies other than observational and registry studies.

B. Definitions/Legal basis

Acts to apply

- For all Medical Device studies:
  - Medical device act SFS 1993:584
  - Medical devices ordinance SFS 1993:876
  - Medicinal products act SFS 1992:859

In addition LVFS 2003:11 or LVFS 2001:5 apply for the following types of studies:

- Medical Device with CE mark use outside label – alone or combined with medicinal product ,
- Medical device without CE mark – alone or combined with medicinal product

B. Definitions/Legal basis

Acts to apply

- Code of Statutes LVFS are detailed regulations issued by MPA:
- LVFS2003: 11 for Medical devices (93/42/EEC)
- LVFS 2001:5 for Active Implantable Medical Devices (90/385/EEC)
- LVFS 2001:7 for in vitro diagnostic medical devices.

B. Definitions/Legal basis

Acts to apply

- Swedish Radiation Protection Act SFS 1988:220 – only if radiation is involved
- Act on public access to information and secrecy act: SFS 2009: 400
- SOFS 2008:1 Reporting of accidents and near accidents with Medical devices.
- Personal Data Act : SFS 1998:1191
- Personal Data Ordinance: SFS 2008: 355

B. Definitions/Legal basis

Acts to apply- Re Ethical Review

- SFS 2003:615 Ethical review act
- SFS2008:192 changes to the ethical review act
- SFS 2003:615 covers regulations in connection with the ethical review act
- SFS 2007:1069 Instructions for regional ethical review boards.
- SFS 2007: 1068 re central ethical review board.

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C. Insurance

• For all the type of medical device studies listed the CI or PI has to hold a patient injury insurance policy. See Patient Injury Act (SFS 1996:799) to cover both patients and healthy volunteers.

• No mandatory compensation sum per participant or per trial is required.

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D. Sponsor

It is mandatory to have a sponsor in studies where the Medical device has no CE mark or where the Medical device has a CE mark but is being used outside label :

i.e

- Medical device alone with CE mark use outside label
- Medical device alone without CE mark
- Medical device combined with medicinal product with CE mark use outside label
- Medical device combined with medicinal product without CE mark

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E. Investigators

• There are no specific requirements/regulations for GCP training of the investigators in Sweden for any of the study types.

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F. Competent Authority

Swedish Competent Authority:

Lakemedelsverket

(In English = Medical Products Agency (MPA))

Dag Hammarskjolds vag 42 /

P.O Box 26 SE-751 03 Uppsala

Sweden

Website: www.lakemedelsverket.se

Email: registrator@mpa.se

Phone: +46 (0)18174600

Fax: +46 (0) 18548566

F. Competent Authority

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	Approval	
	Yes	**No**
Medical device alone with CE mark use within label		x
Medical device alone with CE mark use outside label	x	
Medical device alone without CE mark	x	
Medical device combined with medicinal product with CE mark use within label		x
Medical device combined with medicinal product with CE mark use outside label	x	
Medical device combined with medicinal product without CE mark	x	
Observational studies with medical device		x
Registries		x

F. Competent Authority – Initial submission

- The sponsor is responsible for the submission
- The submission to the Swedish Competent Authority is national: you only have to submit one dossier to the national Competent Authority
- The submission may be done in several ways:
  - elecronically by use of e-service: medical device –e-service for notification of clinical investigation
  - By email (registrator@mpa.se)
  - By DVD/CD or USB
  - By paper.

F. Competent Authority – Initial submission

- English documents are accepted, but patient information leaflet has to be in Swedish.
- Submission fee is 20 000 SEK (approx equivalent to 2157 Euro in Nov 2015)
- There is a standard application form - see link below:

www.lakemedelsverket.se/english/product/Medical-devices/Clinical-Investigations/Notification-of-Clinical-Investigations/

F. Competent Authority – Initial submission

- 60 days to obtain approval, counted from date the dossier is complete and valid
- The MPA has 3 working days to validate the dossier after submission
- No deadlines for submission
- The clinical investigator acts as the representative or legal entity in Sweden to submit an application to the Competent Authority

F. Competant Authority – Initial submission

Main documents required for submission:

- Clinical Trial application form
- Clinical Investigation Plan/Protocol
- Informed consent
- Subject Information Leaflet
- Copy of Insurance coverage/ information on insurance protection for subjects
- Copy of ethical review board's statement and details of aspects looked at (if available)

OR if not yet available:

- a copy of application to ethical review board.
- List of Swedish investigation sites and PIs
- Evidence of competence of CI and Site Pis
- Declaration of conformity with essential requirements.

F. Competant Authority – Initial submission

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Documents regularly requested by MPA:

- Intended labelling of Device
- User manual for staff and or test subjects

MPA may ask for various other documents, if applicable, including but not limited to:

- Results of risk assessments
- Design drawings
- CRF

F. Competent Authority - Vigilance

• It is mandatory to declare SADE to the Swedish Competent Authority, for all study types.

• It is mandatory to declare SAEs to the Swedish Competent Authority for

- Medical device with CE mark use outside label- device alone **or** combined with medicinal product
- Medical device without CE mark – alone **or** combined with medicinal product

F. Competent Authority - Vigilance

Events mandatory to declare to the Competent Authority:

	AE	ADE	SADE	SAE
Medical device alone with CE mark use within label			x	
Medical device alone with CE mark use outside label			x	x
Medical device alone without CE mark			x	x
Medical device combined with medicinal product with CE mark use within label			x	
Medical device combined with medicinal product with CE mark use outside label			x	x
Medical device combined with medicinal product without CE mark			x	x
Observational studies with medical device			x	
Registries			x	

AE: Adverse Event (Non device related)
ADE: Adverse Device Effect (Device or procedure related)
SADE: Serious adverse Device Effect (Device or procedure related)
SAE: Serious Adverse Event (Non device related)

F. Competent Authority - Vigilance

- SAE definition= definition used in ISO 14155: 2011 (E) .
- Sponsor is responsible for declaration of AEs to the Competent Authority.
- No special templates/ forms for declaration of AEs. MEDDEV 2.7/3 form may be used.
- SAEs must be reported immediately.
- The sponsor is responsible for declaring AEs to the Competent Authorities in the specific countries

F. Competent Authority - Vigilance

• The sponsor needs to provide an annual safety report to the Swedish Competent Authority for studies involving:

- Medical device with CE mark use outside label- device alone **or** combined with medicinal product
- Medical device without CE mark – alone **or** combined with medicinal product

F. Competent Authority - Notification

- There is no specific requirement to notify the Competent Authority of first patient enrolled.

F. Competent Authority – Substantial amendment

• There is a specific procedure for submitting a substantial amendment to the Swedish Competent Authority.

• The submission of the amendment may be done in several ways (similar to the initial submission):

- elecronically by use of e-service: medical device –e-service for notification of clinical investigation
- By email (registrator@mpa.se)
- By DVD/CD or USB
- By paper.

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G. Ethics Committee

Central Ethical Review Board
Centrala Etiksprovningsnamden EPN, c/o Vetenskapsradet, Box 1035, 10138 Stockholm, Sweden Phone: +46 (0) 8546 77610 ;
Fax: +46 (0) 8 54644 180;
email: kansli@cepn.se
http://www.epn.se/en/start/
http://www.epn.se/sv/start/

6 Independent Regional Ethics Committees:

1. Regionala Etikprövningsnämnden i **Göteborg**, Box 100 , 405 30 Göteborg

2. Regionala etikprövningsnämnden i **Linköping**, c/o Hälsouniversitetets kansli, Sandbäcksgatan 7, 581 83 Linköping

3. Regionala etikprövningsnämnden i **Lund**, Box 133, 221 00 LUND

4. Regionala etikprövningsnämnden i **Stockholm**, FE 289, Karolinska Institutet, 171 77 STOCKHOLM

5. Regionala etikprövningsnämnden i **Umeå**, Samverkanshuset, Universitetsområdet, 901 87 Umeå

6. Regionala etikprövningsnämnden i **Uppsala,** Box 1964, 751 49 UPPSALA

G. Ethics Committee

	Positive opinion required	
	Yes	**No**
Medical device alone with CE mark use outside label	x	
Medical device alone without CE mark	x	
Medical device combined with medicinal product with CE mark use outside label	x	
Medical device combined with medicinal product without CE mark	x	

G. Ethics Committee – Initial submission

- The Sponsor is responsible for submission.
- The submission to the Ethics Committee is local: you only have to submit one dossier to the relevant regional Ethics Committee
- Appeals against regional EC decisions may be submitted to the central EC
- The submission can be submitted using paper
- Documents must be in Swedish but the annex for professional experts may be written in English
- Fee for Initial Submission fee 16000 SEK (approx 1600 Euro). See application form for detailed fees (Annex 2 of 2003: 615)
- Submission fee for an amendment is 5000 SEK (approx 500 Euro)

G. Ethics Committee – Initial submission

- In general, 60 days to obtain approval
- No deadlines for submissions- can submit any time.
- When both Competent Authority approval and Ethics Committee positive opinion are required, it is possible to request the 2 in parallel.
- Standard Application form used.

http://www.epn.se/sv/start/ansoekan/

G. Ethics Committee – Initial submission

Main documents required for submission:

- Application Form
- Certificate indicating that there are adequate resources available for the study at the trial site , signed by the manager of the clinic.
- No other formal requirements but the application dossier should include:
- Proof of payment
- The protocol
- Patient information leaflet

G. Ethics Committee - Vigilance

- No obligation to report AEs to the Ethics Committee
- Not mandatory to submit an annual safety report to the relevant EC.

G. Ethics Committee – Substantial amendment

- No specific procedure for submitting a substantial amendment to the Ethics Committee
- A letter including the content and the reason for the amendment is sufficient.

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H. Data Protection

Datainspektionen /Swedish Data Protection Board

Postal Address: Box 8114104 20 Stockholm, Sweden

http://www.datainspektionen.se/in-english

Email: datainspektionen@datainspektionen.se

Tel: + 46 8 6576100

Fax +46 8 652 86 52

H. Data Protection

• Processing and treatment of integrity-sensitive personal data (e.g a genetic study where genetic predisposition is being studied) should be notified to the Swedish Data Inspection board in advance.

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I. Healthy volunteers/Patients

- In Sweden there are specific requirements/regulations for the following specific populations:

- Children (less than 18 years of age) - LVFS 2003:6 chapter 3 (2) and section 18 2003:460

- Incapacitated adults –LVFS2003:6 Chapter 3 (2-3) and Section 20-22 2003:460

- Emergency situations - LVFS2003:6 Chapter 3 (2-3) and Section 20-22 2003:460

No specific requirements for pregnant or lactating women

I. Healthy volunteers/Patients

- No mandatory compensation sum defined.

- Healthy volunteers and patients are covered under the Patient Injury Act SFD 1996: 799

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J. Specific requirements

• No Specific requirements to publish both positive and negative results of clinical studies in scientific journals.

• No specific requirements to provide devices without CE mark, or used outside intended use for free.

• Specific requirements regarding devices emitting radiation. Additional approval needs to be granted by the local radiation protection committees – these are based at university hospitals.

J. Specific requirements

• Specific requirements re Informed Consent: It needs to be voluntary, explicit and specific to the particular research and documented, even if not given in writing. (see Section 16, 17, 19 2003:460)

• Specific requirements/regulations regarding archiving of documentation.

- LVFS 2003:11 (93/42/EEC) - 5 to 15 years
- LVFS 2001:5 (90/385/EEC), Annex 6- 15 years

J. Specific requirements

- It is mandatory to register clinical studies in a registry, namely Eudamed

- There is no official national register for clinical studies in Sweden.

- There is no accreditation process for research centres in Sweden.