ECRIN
EUROPEAN CLINICAL RESEARCH INFRASTRUCTURE NETWORK

Regulatory and ethical requirements in medical devices studies

Turkey

SECTIONS

A.Type of research

B. Definitions/Legal basis

C. Insurance

D. Sponsor

E. Investigators

F. Competent Authority

G. Ethics Committee

H. Data Protection

I. Healthy volunteers/Patients

J. Specific requirements

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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 Turkish law

All the studies mentioned previously have a definition in Turkey. You can find them in the following text:

- Ceza Muhakemeleri Kanunu Madde 90 (Turkish)
- 663 sayılı Kanun Hükmünde Kararname (Turkish)
- Sağlık Hizmetleri Temel Kanunu "Ek Madde 10“: http://www.iegm.gov.tr/Default.aspx?sayfa=klinik_mevzuat&lang=tr-TR&thelawtype=1&thelawId=347
- Regulation on Clinical Trials
- Tıbbi Cihaz Yönetmeliği (Regulation on Medical Devices - Turkish): http://www.iegm.gov.tr/Default.aspx?sayfa=iegm_mevzuat&thelawtype=4&lang=tr-TR&PageNo=2&thelawId=375
- WMA Declaration of Helsinki
- ISO 14155:2011 Clinical investigation of medical devices for human subjects
- Medical Device Clinical Trials Guidelines (Turkish): http://www.iegm.gov.tr/Default.aspx?sayfa=tibbi_basvuruform&lang=tr-TR

B. Definitions/Legal basis

Conventions/guideline/laws to apply

- Declaration of Helsinki ***(except for registries)***
- ICH Guideline of EMA ***(only for studies combine with MP)***
- European Directive 2001/20/EC ***(only for studies combine with MP)***
- ISO 14155:2011
- Ceza Muhakemeleri Kanunu Madde 90 (Turkish)
- 663 sayılı Kanun Hükmünde Kararname (Turkish)
- Sağlık Hizmetleri Temel Kanunu "Ek Madde 10”
- Regulation on Clinical Trials
- Tıbbi Cihaz Yönetmeliği (Regulation on Medical Devices - Turkish):

B. Definitions/Legal basis

Acts to apply

- No act to apply

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C. Insurance

• For studies with medical device alone or combined with medicinal product without CE mark an insurance must be contracted. It has to cover:

- Patients
- Healthy volunteers

It is not necessary that the insurance covers the sponsor, the investigator and the manufacturer

• It is not mandatory to have a compensation sum coverage per participant and/or per trial

SECTIONS

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C. Insurance

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I. Healthy volunteers/Patients

J. Specific requirements

D. Sponsor

It is mandatory to have a sponsor for all the following studies:

- 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

Co-sponsorship is not mentioned in the Turkish regulation

SECTIONS

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E. Investigators

- No Turkish specific requirements/regulations for GCP training of the investigators
- Specific requirements/regulations for specific qualification of the investigators

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F. Competent Authority

Turkish Competent Authority:

Ministry of Health (MoH)
Turkish Medicines and Medical Devices Agency
Department of Medical Devices
Söğütözü Mah. 2176 Sok. No:5
Çankaya/ANKARA-TURKEY
Tel: +90 312 2183055
Fax: +90 3122183275

F. Competent Authority

A. Type of research
B. Definitions/Legal basis
C. Insurance
D. Sponsor
E. Investigators
F. Competent Authority
G. Ethics Committee
H. Data Ptotection
I. Healthy volunteers/Patients
J. Specific requirements

	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	

F. Competent Authority – Initial submission

• When a submission is required, the sponsor, the PI or the CRO are responsible of it

• The submission to the Turkish Competent Authority is national: you only have to submit one dossier to the national competent authority

• The submission have to be:

- by paper

- and CD-Rom

• Document have to be submitted in Turkish. English accepted for some documents only, such as investigator's brochure and full trial protocol

• Submission fee to pay except for academic trials

F. Competent Authority – Initial submission

A. Type of research
B. Definitions/Legal basis
C. Insurance
D. Sponsor
E. Investigators
F. Competent Authority
G. Ethics Committee
H. Data Ptotection
I. Healthy volunteers/Patients
J. Specific requirements

- In general, 60 days maximum to obtain approval
- No deadlines for submission, you can submit anytime
- You need to have some kind of representative or a legal entity in Turkey to submit an application to the Competent Authority

F. Competant Authority – Initial submission

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Main documents required for submission:

- Submission letter
- Clinical Trial application form
- Clinical Investigation Plan/Protocol signed
- Clinical Investigation Plan/Protocol summary
- CRF draft
- Inform Consent Form and Subject Information leaflet
- General practitioner information letter
- Copies of advertisement materials for research participants
- CE certificate or National Registry System (TİTUBB)
- Instruction for use/Technical manual
- Signed and dated CV of investigators
- Financial disclosure
- Agreement between sponsor and CRO specifying responsibilities
- Proof of payment of submission fees

F. Competant Authority – Initial submission

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In addition to these documents for studies with medical device alone or combined with medicinal product without CE mark you have to add :

- Performance evaluation
- Insurance certificate

F. Competent Authority – Initial submission

• Standard application form available on the Turkish CA website:

	KLİNİK İLAÇ ARAŞTIRMALARI BAŞVURU FORMU	Doküman Adı: KADB-F.28-R.02 Yayın Tarihi: 30.05.2013 Sayfa No: 1/10 Onaylayan: Daire Başkanı

A. BAŞVURUNUN YAPILDIĞI YER

Türkiye İlaç ve Tıbbi Cihaz Kurumu ve Etik Kurula yapılacak olan başvurular için aynı form kullanılmalı ve ilgili kutu işaretlenmelidir

A.1.	Türkiye İlaç ve Tıbbi Cihaz Kurumu	☐
A.2.	Etik Kurul	☐

B.ARAŞTIRMA

B.1	Araştırmanın açık adı:		
B.2	Varsa, protokol numarası:		
B.3	Araştırma başvurusunun yapıldığı başka ülkeler var mı?	Evet ☐	Hayır ☐
B.3.1	B.3'e cevabınız evet ise lütfen ülkeleri belirtiniz:		
B.4	Araştırmanın onaylandığı başka ülkeler var mı?	Evet ☐	Hayır ☐
B.4.1	B.4'e cevabınız evet ise lütfen ülkeleri belirtiniz:		
B.5	Araştırma pediatrik popülasyon üzerinde yürütülecek mi?	Evet ☐	Hayır ☐

C. BAŞVURUDAN SORUMLU DESTEKLEYİCİ

C.1	Destekleyici	☐
C.1.1	Kurum / kuruluşun adı:	
C.1.2	Temasa geçilecek kişinin adı soyadı:	
C.1.3	Açık adresi:	
C.1.4	Telefon numarası:	

F. Competent Authority - Vigilance

• SAE definition:

Any untoward medical occurrence or effect that at any dose:

- Result in death
- Is life threatening
- Requires hospitalisation or prolongation of existing hospitalisation
- Results in persistent or significant disability or incapacity
- Or is a congenital anomaly or birth defect

• SAE declaration by the sponsor or the PI:

- according to protocol

• The sponsor doesn't have to declare events to the Competent Authorities in the specific countries

• The sponsor needs to provide to the Competent Authority an annual safety report

F. Competent Authority - Vigilance

A. Type of research
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E. Investigators
F. Competent Authority
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Events mandatory to declare to the Competent Authority:

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

A. Type of research
B. Definitions/Legal basis
C. Insurance
D. Sponsor
E. Investigators
F. Competent Authority
G. Ethics Committee
H. Data Ptotection
I. Healthy volunteers/Patients
J. Specific requirements

- The sponsor or the PI is responsible for the declaration to the Competent Authority
- Standard form for the declaration of SAE on the Ministry's website

F. Competent Authority - Notification

A. Type of research
B. Definitions/Legal basis
C. Insurance
D. Sponsor
E. Investigators
F. Competent Authority
G. Ethics Committee
H. Data Ptotection
I. Healthy volunteers/Patients
J. Specific requirements

• Specific requirements/regulations for notification for the first patient enrolled to the Competent Authority

F. Competent Authority – Substantial amendment

- There is a specific procedure for submitting a substantial amendment to the Competent Authority

SECTIONS

A.Type of research

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G. Ethics Committee

List of Turkish Ethic Committee:

http://www.iegm.gov.tr/UnitsPageDescription.aspx?BirimId=CVgRV0Ms3dY=&KonuId=YvRiEmNsOw4

G. Ethics Committee

	Positive opinion required	
	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	

G. Ethics Committee – Initial submission

• When a submission is required, the PI or CRO are responsible of

• The submission to the Ethics Committee is national : **One first has to submit to a local EC and following the approval of the EC, one has to submit to The MoH for the final approval**.

• The submission have to be:

- by paper

- and CD-Rom

• Document have to be submitted in Turkish. English accepted for some documents only, such as investigator's brochure and full trial protocol

• Submission fees

G. Ethics Committee – Initial submission

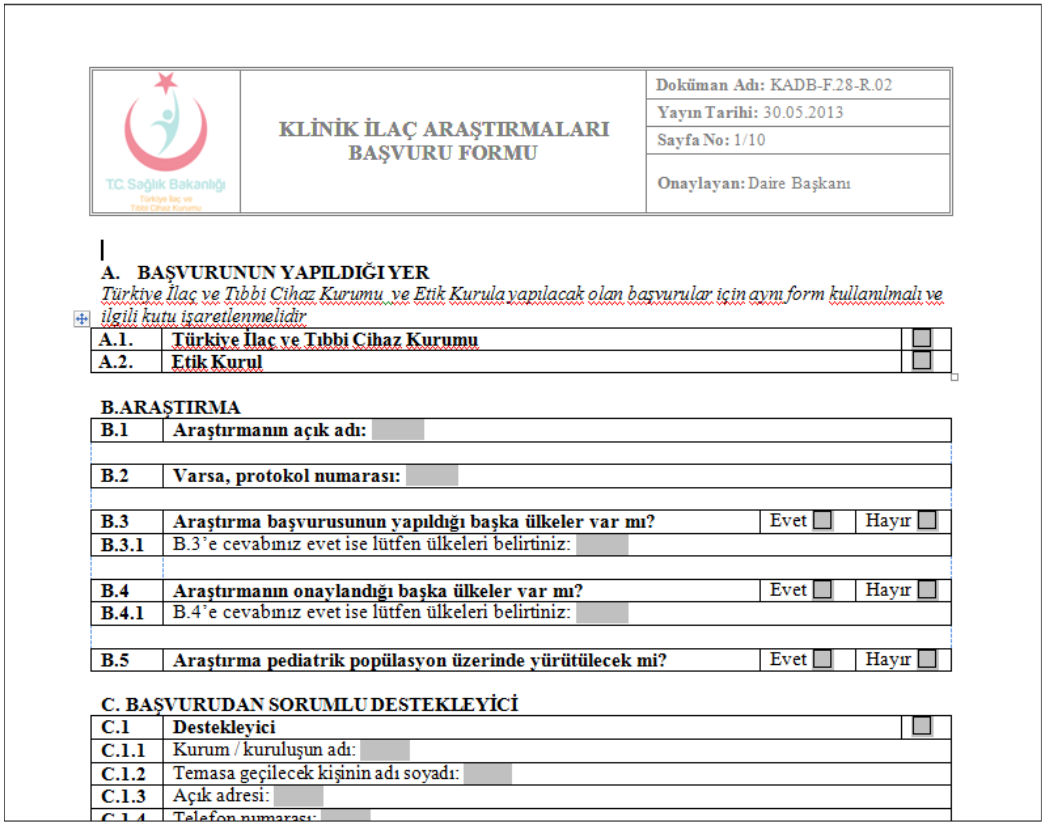
- In general, 30 days to obtain approval
- No deadlines for submission, you can submit anytime
- When both Competent Authority approval and Ethics Committee positive opinion are required, it is not possible to request the 2 (authorization and approval) in parallel, you have to have the EC opinion first
- You need to have some kind of representative or a legal entity in Turkey to submit an application to the Competent Authority or Ethics Committee if you are from the EU

G. Ethics Committee – Initial submission

The main documents required for submission to the EC are the same than the one submitted to the Competent Authority

G. Ethics committee – Initial submission

- Use the same standard application form that for the Competent Authority
- Standard application form available on the Turkish CA website:



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C. BAŞVURUDAN SORUMLU DESTEKLEYİCİ

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C.1.3	Açık adresi:	
C.1.4	Telefon numarası:	

G. Ethics Committee - Vigilance

- AE declaration by the sponsor or the PI:
  - according to protocol

- The sponsor also has to declare events to the Ethics Committee in the specific countries

- The sponsor needs to provide to the Ethics Committee an annual safety report

G. Ethics Committee - Vigilance

Events mandatory to declare to the competent authority:

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

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)

G. Ethics Committee - Vigilance

- The sponsor or the PI is responsible for the declaration to the Ethics Committee
- Standard form for the declaration of SAE on the Ministry’s website

G. Ethics Committee - Notification

• No specific requirements/regulations to notify the first patient enrolled to the Ethics Committee

G. Ethics Committee – Substantial amendment

• There is a specific procedure for submitting a substantial amendment to the Ethics Committee

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H. Data Protection

No authority in charge of data protection in Turkey

NO SUBMISSION

SECTIONS

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J. Specific requirements

I. Healthy volunteers/Patients

• In Turkey, there are specific requirements/regulations for specific population:

- Children
- Elderly
- Pregnant women
- Lactating women

I. Healthy volunteers/Patients

• Subject participating in clinical research can be compensated (optional and limitated)

• No national healthy volunteers registry

• No obligation to inform the healthy volunteers/patients on the outcomes of the study

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J. Specific requirements

J. Specific requirements

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

• No specific requirements/regulations to provide devices without CE mark or used outside the intended use for free

• Specific requirements/regulations regarding devices emitting radiation: **Refer to Tıbbi Cihaz Yönetmeliği** (Regulation on Medical Devices - Turkish)

• No specific requirements/regulations regarding the ICF

• Specific requirements/regulations regarding archiving of documentation: Guidelines For Archiving In Clinical Trials

• Specific requirements regarding blood/tissue samples (circulation and storage): Regulation on Clinical Trials

J. Specific requirements

• No specific requirements for data management

• Specific strategies for monitoring: Refer to Regulation on Clinical Trials

• MoH internal National Registry System (TİTUBB) exist

• Medical device clinical trials including observational medical device studies shall be registered into a public database with due regard for the rules of privacy of personal data (Regulation On Medical Device Clinical Trials 2014).