ADVERSE INCIDENT & RECALL & VIGILANCE

PRACTICAL IMPLICATIONS

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8.04 Guide

MEDICINES CONTROL COUNCIL

DEPARTMENT OF HEALTH
Republic of South Africa

MEDICINES CONTROL COUNCIL

RECALL, ADVERSE EVENT and POST-MARKETING VIGILANCE REPORTING of MEDICAL DEVICES and IVDs

This guideline is intended to provide recommendations to Manufacturers, Importers, Exporters, Distributors and Holders of Certificate of Registration (HCR) of medical devices and IVDs. It represents the Council's current thinking on the safety, quality and performance of medical devices and IVDs. It is not intended as an exclusive approach. The Council reserves the right to request any additional information to establish the safety, quality and performance of a medical device or IVD in keeping with the knowledge current at the time of evaluation. Alternative approaches may be used but these should be scientifically and technically justified. The Council is committed to ensure that all registered medical devices and IVDs will be of the required quality, safety and performance. It is important that applicants adhere to the administrative requirements to avoid delays in the processing and evaluation of applications.

Guidelines and application forms are available from the office of the Registrar and the website.

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Date for implementation	August 2017

DR JC GOUWS
REGISTRAR OF MEDICINES

MHRA

PMS and vigilance - Post-market surveillance requirements

Post-market surveillance requirements (preventative / proactive)

Definition:

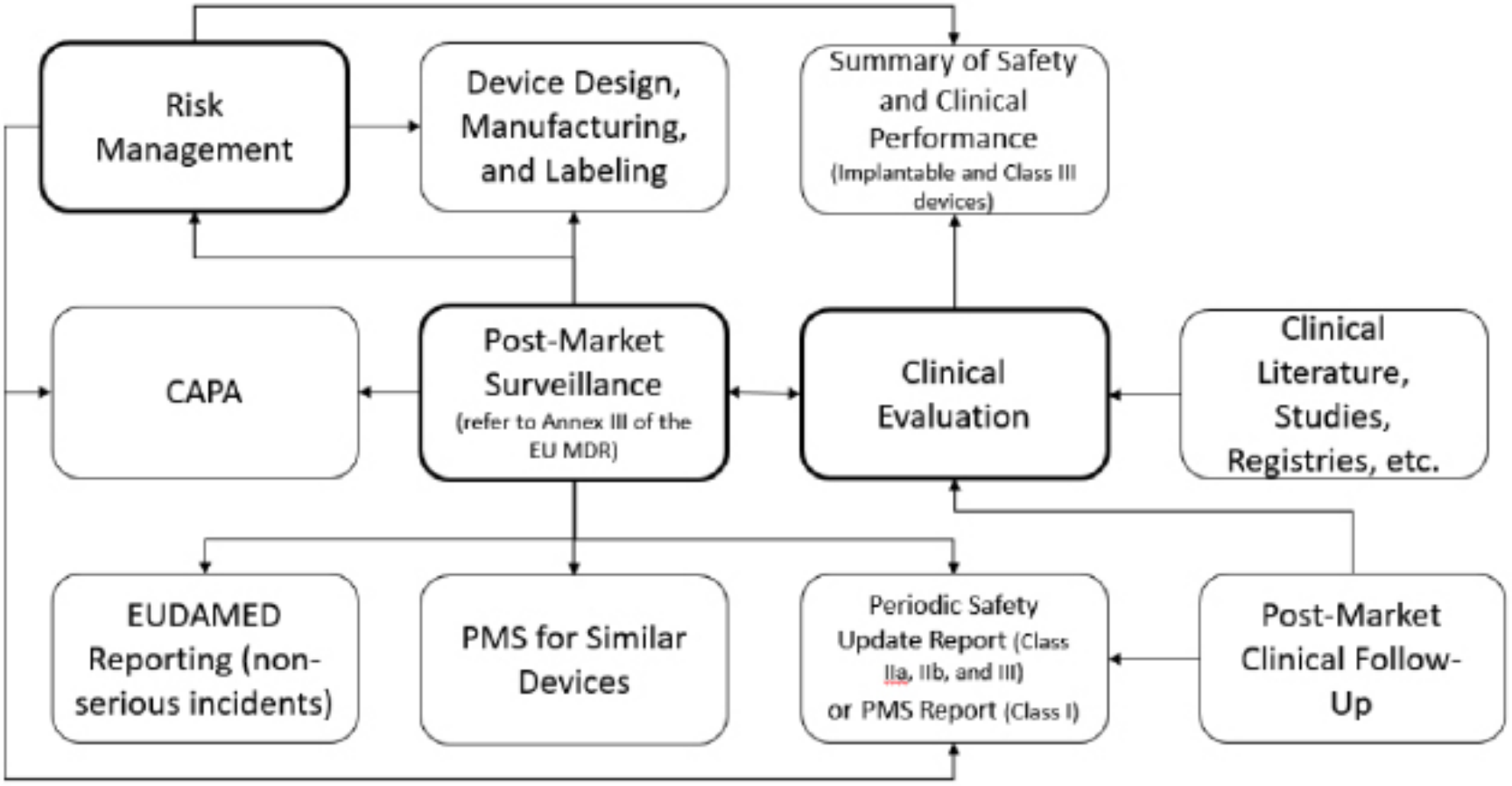
'Post-market surveillance' means all activities carried out by manufacturers in cooperation with other economic operators to institute and keep up to date a systematic procedure to proactively collect and review experience gained from devices they place on the market, make available on the market or put into service for the purpose of identifying any need to immediately apply any necessary corrective or preventive actions.

Key obligations:

- Ensure ongoing safety of device – appropriate/risk benefit balance
- Inform development of future iterations of the device
- Conduct FSCAs (field safety corrective actions)

Field safety corrective actions are corrective actions taken by a manufacturer for technical or medical reasons to prevent or reduce the risk of a serious incident in relation to a device made available on the market.

SOURCE of INCIDENTS



Intent of 8.04 Recalls, Vigilance …

- assist licensed manufacturers and distributors and Holders of a Certificate of Registration (HCR) of Medical Devices and IVDs in
  - the reporting of adverse events , the post-marketing vigilance and the recall of a medical device or IVD from the market place.
- **PRACTICAL IMPLICATION**
  - Roles;

1. licensed manufacturers and distributors
2. Authorised Representative
3. Holder of certificate of licence

no PRODUCT registrations =no Certificate of Registration (HCR)

4. Licence Holder?

Authorised representative" ..all aspects of the medical device or IVD, including performance, quality, safety and compliance with conditions of registration, clinical trials or clinical investigations;

Incident requires

- actions may require
  - **notifying or obtaining further advice**

    from the Regulatory Authority.
- Some actions that may need to be taken could include to:
  - follow **corrective actions / preventive actions** procedures under the manufacturer‘s / distributor’s quality management system,
  - **inform** the users of the device or IVD,
  - **make corrections** to the device or IVD,
  - **remove, i.e. recall** the medical device or IVD from the market.

Actions : Practical Implications

1. **Recall**
2. **Withdrawal**
3. **Field safety Corrective Action**

   "**Field safety corrective action** is an **action** taken by a manufacturer to reduce a risk of death or serious deterioration in the state of health associated with the use of a medical device that is already placed on the market

   Field corrective **action** means any **action** taken by the establishment to reduce the risk of incidents to enhance the safety and performance of a **medical device**. These may include: Return of the **medical device** to the manufacturer or its representative.

4. advisory notice [ISO13485 3.1]

- notice issued by the organization, subsequent to delivery of the medical device, to provide supplementary information or to advise on action to be taken in the:
- — use of a medical device,
- — modification of a medical device,
- — return of the medical device to the organization that supplied it, or
- — destruction of a medical device
- Note 1 to entry: Issuance of an advisory notice can be required to comply with applicable regulatory requirements.

DEFINITION

- **Vigilance** – means an attentiveness, alertness, or watchfulness for whatever may occur
- **Recall** - means the removal of specific batch/batches of a product from the market for reasons relating to deficiencies in the quality, safety or efficacy.
- **Withdrawal** – means a the removal of something
- **Clinical performance:** behaviour of a medical device or response of the subject(s) to that medical device in relation to its intended use, when correctly applied to appropriate subject(s). [EN ISO 14155:2011]
- **Performance evaluation**: assessment and analysis of data to establish or verify the ability of a medical device to achieve its intended use [EN ISO 13485 3.13]

MHRA

PMS and vigilance - Post-market surveillance requirements

Post-market surveillance requirements (preventative / proactive)

New features of the Regulations:

- PSURs - Periodic Safety Summary Report: Summarises the results and conclusions of the analyses of the post-market surveillance data. See Article 86 of the MDR and Article 81 of the IVDR
- PMCF / PMPF - Post-Market Clinical / Performance Follow-Up: A continuous process that updates the clinical / performance evaluation. See Annex XIV, Part B of the MDR and Annex XIII, Part B of the IVDR
- Other post-market studies

See Chapter VII, Section 1 of the MDR and IVDR for more information.

POST-MARKETING VIGILANCE

- ***Quarantined Stock (in the context of a recall)* –** means the stock of product that has been put on hold for destruction or rework. The stock has been released for sale and has not yet been dispatched or has not left the direct control of the holder of a certificate of registration (HCR) / licensed manufacturer / licensed distributor.
- ***Recall*** - means the removal of specific batch/batches or lot/lots or serial number/s of a medical device or IVD from the market for reasons relating to deficiencies in the quality, safety or performance.
- ***Withdrawal*** - means the total withdrawal of a medical device or IVD from the market.

Vigilance

- purpose is to **improve** the health and safety of patients, users, and others by
  - **reducing** the likelihood of adverse events being **repeated** by evaluating reported adverse events
- disseminating **information** that could be used to prevent or minimise the consequences of adverse events, where appropriate
  - modifying the device or IVD
  - removing the medical device or IVD from the market

PRACTICAL IMPLICATION

- **post-market surveillance [ISO1 13485 3.14]**
- systematic process to collect and analyse experience gained from medical devices that have been placed on the market
- **+ corrective action, preventive action, advisory notice**

REPORTABLE ADVERSE EVENTS

- Any event that meets three basic reporting criteria, even if it does **not involve a patient or user**, should be reported to the Regulatory Authority:
  - an adverse event **has occurred**
  - the licensed manufacturer's or licensed distributor's medical device **is associated with the adverse event**
  - the event **led to or might lead** to (often referred to as a near adverse event) death or serious injury, or might lead to death or serious injury if it were to occur again

PRACTICAL IMPLICATION

- Investigation of the event is paramount
- Is it or not reportable?
- Understand meaning of **Adverse** and **near Adverse** Event

ADVERSE EVENTS

- An adverse event is an event that may lead to:
  - death, or
  - a serious injury or serious deterioration to a patient, user or other person, including

o a life-threatening illness or injury

o permanent impairment of a body function

o permanent damage to a body structure

o a condition necessitating medical or surgical intervention to prevent permanent impairment of a body function or permanent damage to a body structure.

NEAR ADVERSE EVENTS

- an event that might have led to a death or serious injury. It may be that due to the timely intervention of a healthcare practitioner a death or serious injury did not occur. For an event to be defined as a near adverse event, it is sufficient that:
- □ an event associated with the device happened
- □ if the event occurred again, it might lead to death or serious injury
- □ testing or examination of the device or the information supplied with the device, or scientific literature indicated some factor that could lead to a death or serious injury.

REPORTING

- In assessing the link between the device and the event, the AR and/or HCR should take into account:
- the opinion, based on available information, from a **HCP**
- information concerning **previous, similar** events
- **other** information held by the AR, or HCR / licensed manufacturer and licensed distributor.

In complex situations, it should be **assumed that the device was associated with the event**. If there is any doubt about whether a report should be submitted, the report should be submitted.

PRACTICAL IMPLICATION

- Feedback [ISO13485 8.2.1]
- The organization shall document procedures for the feedback process. This feedback process shall include provisions to gather data from production as well as post-production activities.

Vigilance Exchange

- Through various Mutual Recognition Agreements for medical device and IVD regulation, the Regulatory Authority has an obligation to exchange vigilance information with other national regulatory authorities

PRACTICAL IMPLICATION

- Recall overseas = Recall in SA ?
- Recall overseas ? AR release to make in SA (Vigilance for review of recall history)
- Recall in SA can call for Recall overseas – feedback to manufacturer

EXEMPTION

- 8 rules that can apply 8
- do NOT apply when:
- □ a device, event or issue specifically identified by the Regulatory Authority as an issue that requires close monitoring—applicants of devices that are affected will be notified by the Regulatory Authority when this occurs
- □ an adverse event normally subject to a reporting exemption, where a change in trend (usually an increase in frequency) or pattern is identified
- □ adverse events associated with user error

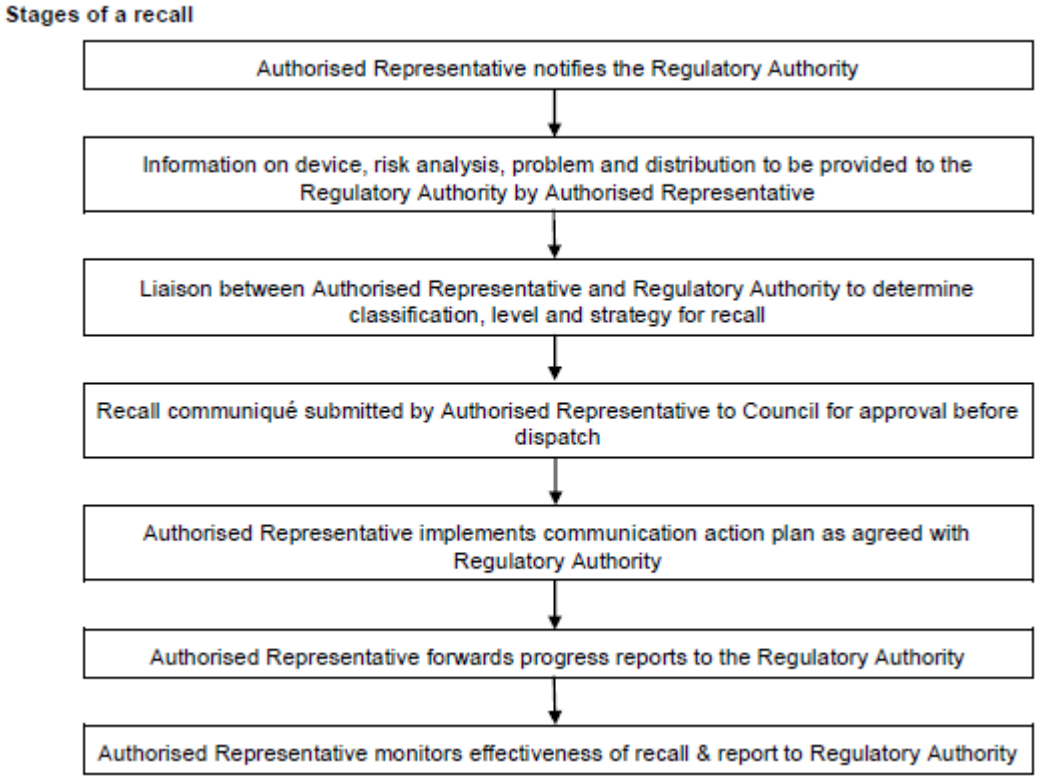
USER ERROR

- adverse events associated with user error, as the Regulatory Authority may use this data to identify trends with similar products that may lead to recommendations for:
- o corrective action for the device
- o revising the labelling or *Instructions for Use*
- o identifying a need for increased user education.
- If a manufacturer believes an exemption rule applies to reporting an adverse event, the reasons for not reporting the event should be documented.

8 EXEMPTIONS

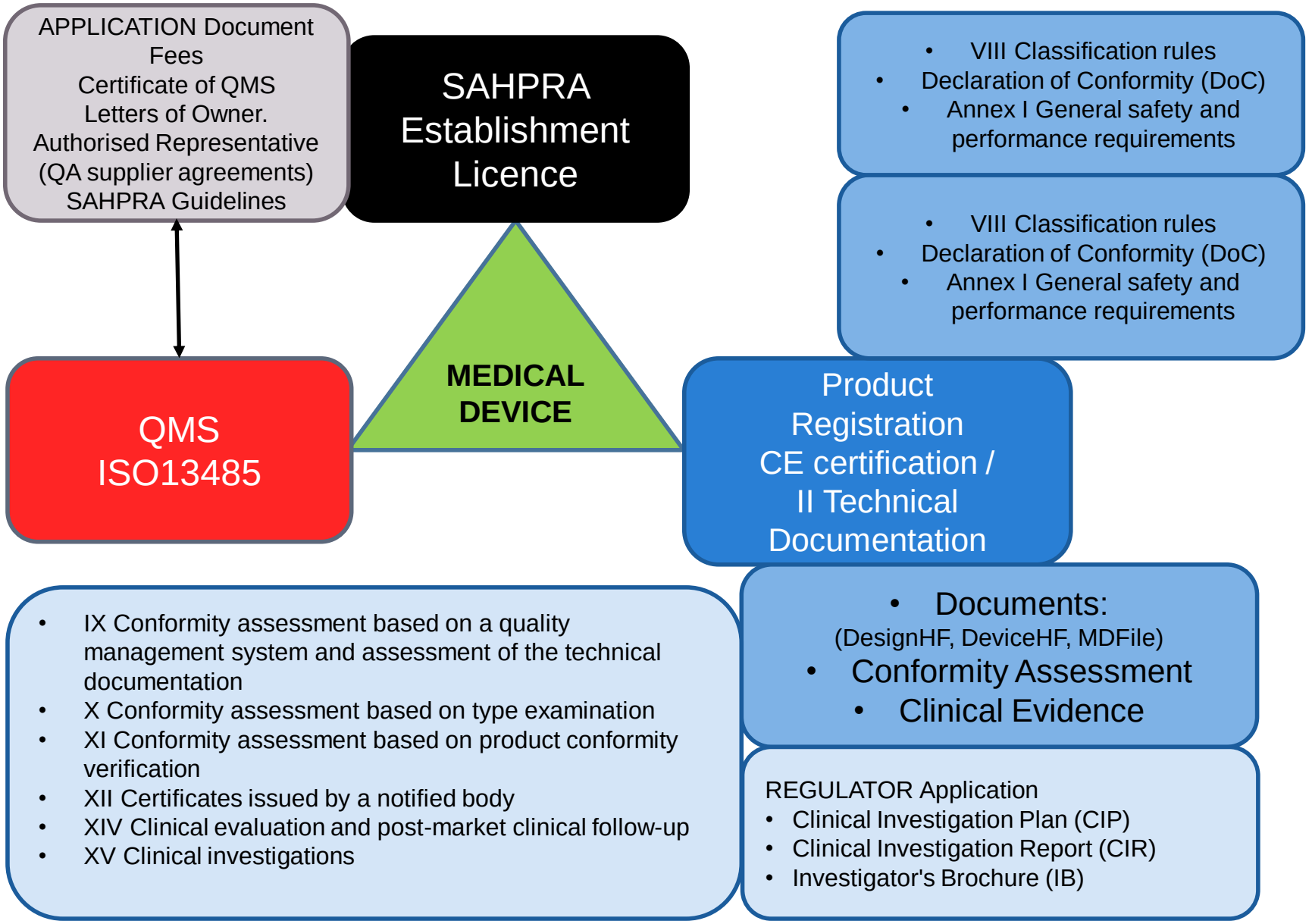
1. Deficiency of a new device found by the user prior to its use
2. Adverse event caused solely by patient conditions
3. Service life of the medical device
4. Protection against a fault functioned correctly
5. Remote likelihood of occurrence of death or serious injury
6. Expected and foreseeable side effects that are documented in manufacturer’s Instructions for Use or labelling
7. Adverse events described in an advisory notice
8. Reporting exemptions granted by the Regulatory Authority

Recall SA stages



TIMEFRAME

a serious threat to public health - 48 hours after the person becomes aware of the event or occurrence	**48 hrs**
relates to an event or other occurrence that led to the death, or a serious deterioration in the state of health, of a patient, a user of the device, or another person – 10 calendar days after the person becomes aware of the event or occurrence	10 days
an event or other occurrence, a recurrence of which might lead to the death, or a serious deterioration in the state of health, of a patient, a user of the device, or another person - 30 days after the person becomes aware of the event or occurrence	30 days


APPLICATION Document
Fees
Certificate of QMS
Letters of Owner.
Authorised Representative
(QA supplier agreements)
SAHPRA Guidelines
SAHPRA Establishment Licence
• VIII Classification rules
• Declaration of Conformity (DoC)
• Annex I General safety and performance requirements
• VIII Classification rules
• Declaration of Conformity (DoC)
• Annex I General safety and performance requirements
QMS ISO13485
MEDICAL DEVICE
Product Registration
CE certification / II Technical Documentation
• IX Conformity assessment based on a quality management system and assessment of the technical documentation
• X Conformity assessment based on type examination
• XI Conformity assessment based on product conformity verification
• XII Certificates issued by a notified body
• XIV Clinical evaluation and post-market clinical follow-up
• XV Clinical investigations
• Documents:
(DesignHF, DeviceHF, MDFile)
• Conformity Assessment
• Clinical Evidence
REGULATOR Application
• Clinical Investigation Plan (CIP)
• Clinical Investigation Report (CIR)
• Investigator's Brochure (IB)

Questions