



DEPARTMENT OF HEALTH & HUMAN SERVICES

Memorandum

Date November 16, 2007

From Chair, NIOSH HSRB

Subject Report of NIOSH HSRB – Non-Research Protocol/Activity, “NIOSH Customer Satisfaction Survey” Non-Research Determination

To Vern P. Anderson, Ph.D.
Project Officer, IRB, EID
Through: /Director, EID _____

I have reviewed your request for a Non-Research Determination regarding the subject activity and have concluded that the proposed effort does not meet the definition of research and does not require IRB review. Specifically, the Code of Federal Regulations for the Protection of Human Subjects at 45CFR46 .102 (d) defines research as “a systematic investigation, including research development, testing, and evaluation designed to develop or contribute to generalizable knowledge.” In reading your proposed survey, the design of this activity is to be used as a diagnostic tool for identifying marketing needs with the intent to improve NIOSH performance of providing information to safety and health professionals. According to CDC Guidelines for Defining Public Health Research and Public Health Non-research (October 4, 1999), “When the purpose (of an activity) is to assess the success of an established program in achieving its objective in a specific population and the information gained from the evaluation will be used to provide feedback to that program, the evaluation, referred to as program evaluation, is non-research.” The activity is therefore primarily designed to evaluate and improve upon an ongoing program targeted to a defined population of beneficiaries. As the activity constitutes public health practice, i.e., it is not research, IRB review is not required and the regulations pertaining to the protection of human subjects do not apply. Of course, the ethical standards of conduct for public health practice still apply.

Kathryn Masterson
for Cherie Fairfield Estill, M.S., P.E.

cc:
Correspondence-Non-Research