

ATTACHMENT L
NIOSH IRB MEMO



DEPARTMENT OF HEALTH & HUMAN SERVICES

Memorandum

Date June 10, 2010

From Chair, NIOSH HSRB

Subject Report of NIOSH HSRB – Protocol No. HSRB 10-OD-NR01 “National Occupational Safety and Health Professional Workforce Assessment: Employer and Education Provider Survey Data Collection” Non-Research Determination

To M. Chris Langub, Ph.D.
Project Officer, OEP, OD NIOSH
Through: /Director, OEP, OD NIOSH _____

General Comments and IRB Actions

In your E-mail of June 3, 2010, regarding the subject protocol, you described your activity. Your activity is to collect information from the 17 NIOSH Education Research Centers (ERC) and the 31 training project grants and from employers who hire graduates from NIOSH ERCs. This activity has occurred in 1977, 1985, 2000. The information is being collected to assess the current supply and future demand for OS&H professionals, and determine the desired professional competencies (i.e., knowledge, skills, and abilities) required for the next 5 years.

I have determined that this proposed activity does not meet the criteria of research as defined by DHHS. Specifically, the federal regulations for the protection of human subjects at 45CFR46.102(d) define research as “a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge.”

In 1999, CDC further developed guidelines, “Guidelines for Defining Public Health Research and Public Health Non-Research.” According to the 1999 CDC guidelines, general attributes of non-research are, “intent of the project is to identify and control a health problem or improve a public health program or service,” and surveillance systems are likely to be non-research when, “data collected are needed to assess and/or improve the program or service.” Additionally these guidelines state, “When the purpose is to assess the success of an established program in achieving its objectives in a specific population and the information gained from the evaluation will be used to provide feedback to the program, the evaluation referred to as program evaluation, is non-research. In the non-research scenario, the evaluation is used as a management tool to monitor and improve the program.” Since this activity is occurring for surveillance of the need for occupational safety and health professionals and to improve the program which funds ERCs and training project grants, I believe this activity to be non-research and not human subjects research under 45CFR46.

However, the prevailing ethical standards for public health practice and privacy still apply. You should assure that privately identifiable information is appropriately protected and participation is voluntary.

We have given this activity an HSRB number for our records (HSRB 10-OD-NR01) and will file this memo with the supporting documentation. If you have any questions about this matter, please feel free to contact me at (513) 841-4476.

End of report

A handwritten signature in cursive script that reads "Cheryl Fairfield Estill".

Cheryl Fairfield Estill, M.S., P.E.

cc:
HSRB 10-OD-NR01