
The *In-vitro* Diagnostic Directive

A View from the Regulatory Authority

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Presentation Content

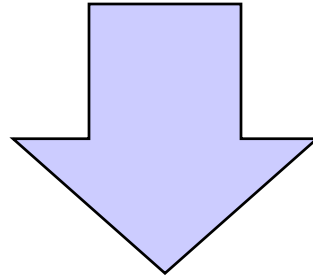
- Irish Medicines Board (IMB)
- Role of the IMB in relation to Medical Devices
- The *In-vitro* Diagnostic (IVD) Directive
- Technical Documentation for CE Marking
- Role of Manufacturer and User
- In-house Manufacture
- Vigilance System
- The Future





NATIONAL DRUGS ADVISORY BOARD

- **Advisory body to Minister for Health (licensing authority)**
- **Funded by Department of Health**



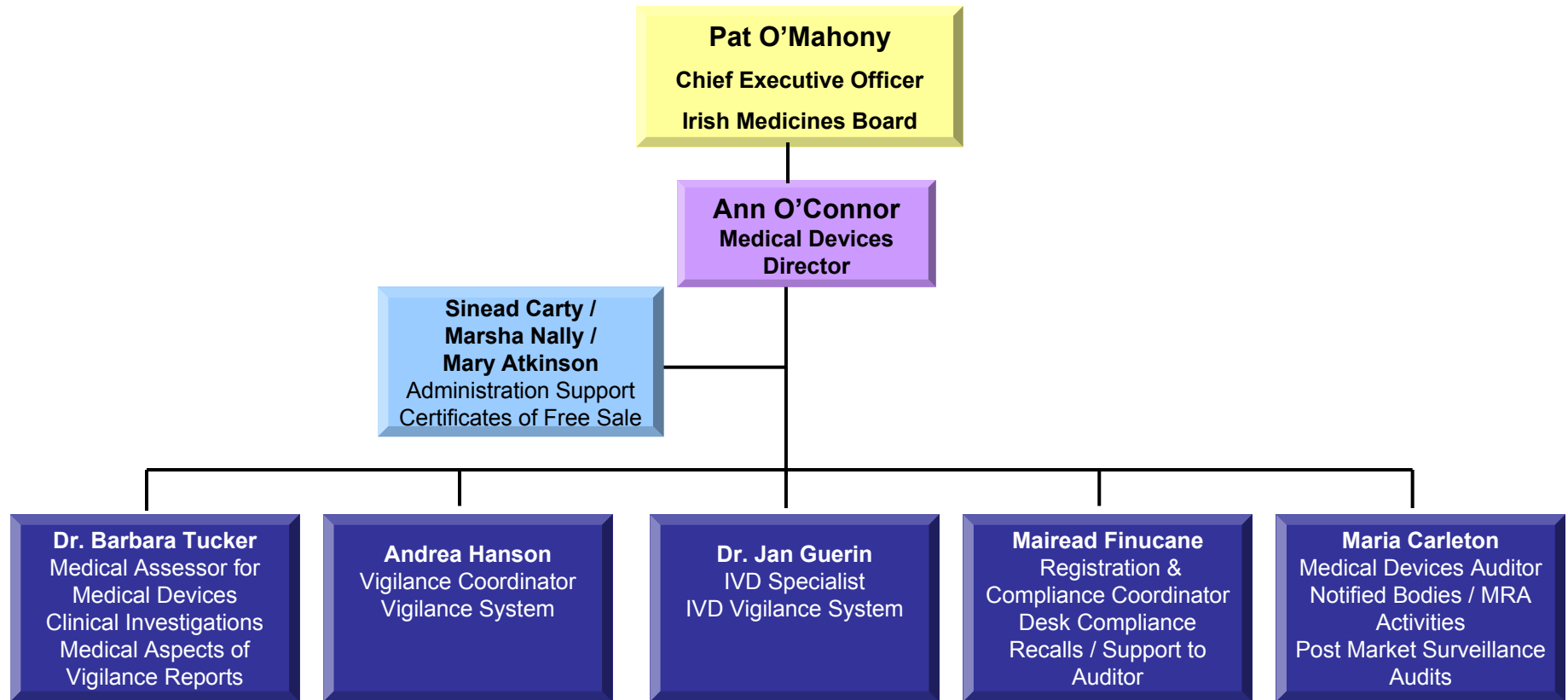
IRISH MEDICINES BOARD (1996)

- **Competent Authority for Medicines and Medical Devices**
- **Self-funded exception Medical Devices / Enforcement**
- **“Independent” but agency of DOH&C**



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Structure of the Medical Devices Department



Medical Device Directives

Directive 90/385/EEC
Active Implantable
Medical Devices

Pacemakers;
Implantable Infusion pumps
Artificial hearts ...
+ software and accessories

Directive 93/42/EEC
Medical Devices

NMR, US, X-ray, Heart valves
Hip-implants, ECG, EEG,
Intravascular catheters, Stent,
syringes, medical laser,
Dental materials ...

Directive 98/79/EC
***In-vitro* Diagnostic**
Medical Devices

HIV tests, Hepatitis tests,
Pregnancy tests,
Lab analysers, reagents, kits,
calibrators, control materials
specimen receptacles ...



Competent Authority (CA)

- The **Irish Medicines Board** acts as the Competent Authority for Medical Devices in Ireland
- The body who acts on behalf of the government of a Member State to ensure that the requirements of the Medical Devices Directives are carried out in that particular Member State
- To ensure that all medical devices sold on the Irish market meet the Essential Requirements of the Directives and in doing so do not compromise the health and safety of patients, users and where appropriate, any other persons



IVD Legislation

- *In-vitro* Diagnostic Medical Devices Directive 98/79/EC
- S.I. No. 304 of 2001 European Communities (*In-vitro* Diagnostic Medical Devices) Regulations, 2001
 - Effective from 29 June 2001 – transition phase until 07 December 2003
 - An additional period of 2 years is allowed for devices on market prior to this date – 07 December 2005
- Commission Decision of 07/05/02 on Common Technical Specifications (CTS) for IVD Medical Devices



Role of IMB as CA for Medical Devices

- Maintenance of a register of all IVD manufacturers and medical devices
- Establishment and administration of a vigilance system
 - Recalls, incidents and near incidents
- Register of IVD undergoing Performance Evaluations
- Designation and monitoring of Notified Bodies in Ireland
- Arbitration in disputes between manufacturers and the Notified Body



Role of IMB as CA for Medical Devices (cont'd)

- Maintenance of surveillance systems
- Enforcement of legislation where necessary
- Participation in international activities including EU, Mutual Recognition Agreements (MRA), Global Harmonisation Task Force (GHTF)
- Dealing with classification issues
- Issuance of certificates of free sale
- Approval of medical devices on a named patient basis



What is an IVD?

Any medical device which is a:

reagent, reagent product, calibrator, control material, kit, instrument, apparatus, equipment, or system

whether used alone or in combination intended by the **manufacturer** to be used *in-vitro* for the examination of specimens (including blood and tissue donations) derived from the human body, solely or principally for the purpose of providing information



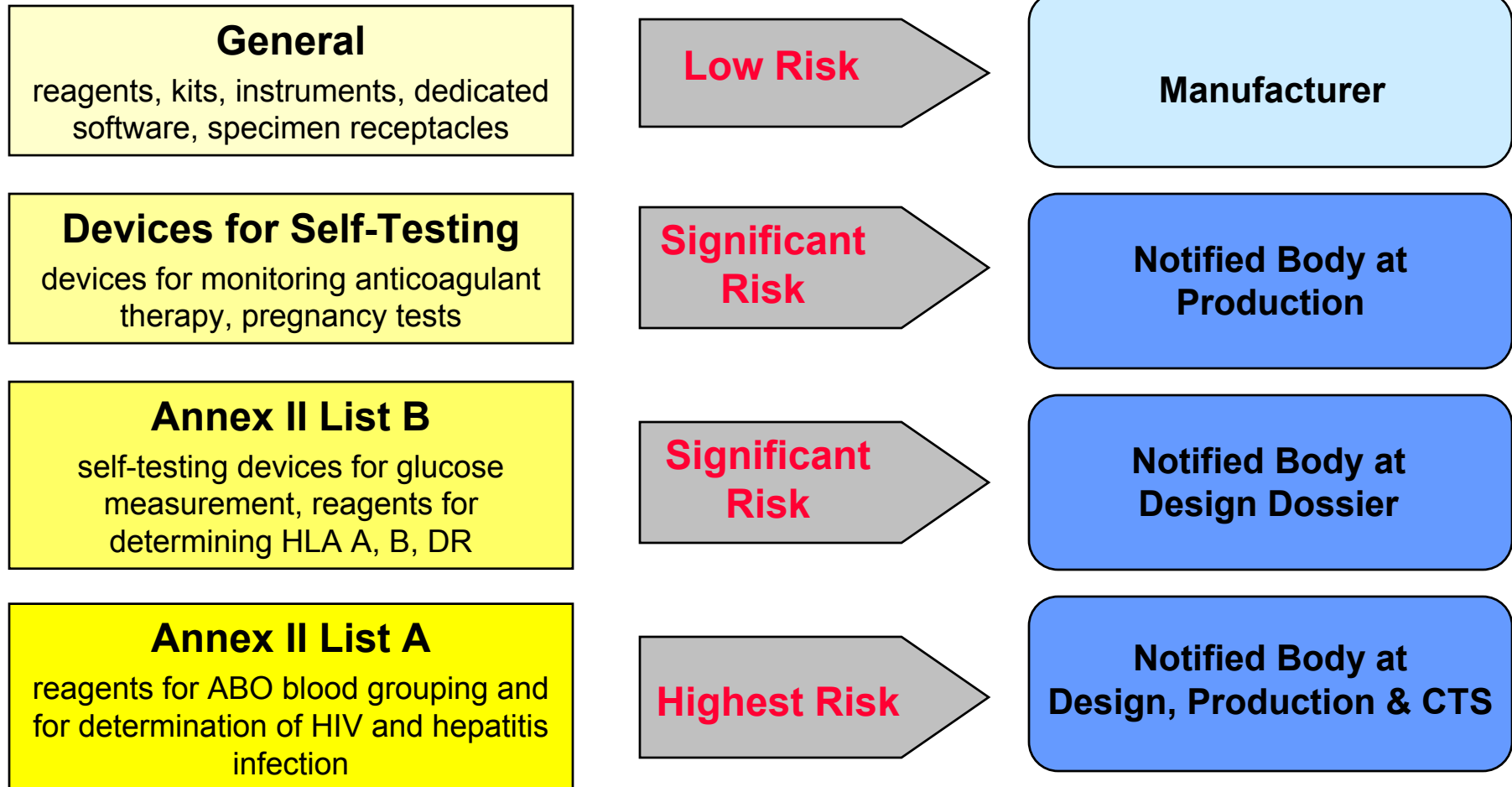
What is an IVD? (cont'd)

Providing information:

- concerning a physiological or pathological state
- concerning a congenital abnormality
- to determine the safety and compatibility with potential recipients
- to monitor therapeutic measures



Classification of IVD's



Products Excluded from IVD Legislation

- Research only products with **no** medical objective (*rec. 8*)
- Certified reference materials and materials used for external QA schemes (*rec. 9*)
- Reagents that are produced in a health institution for use in that institution (*rec. 10*)
- Devices manufactured within the same institution without being transferred to another legal entity (*art. 1.5*)



Products Excluded from IVD Legislation (cont'd)

- Medical devices exhibited at trade fairs, exhibition, demonstrations, scientific or technical gatherings provided no specimens are taken from patients (*art. 4.3*)
- Individual devices which may be approved as an emergency by the Competent Authority in the interest of the protection of public health (*art. 9.12*)



EC Declaration of Conformity

The procedure whereby the Manufacturer (or the Authorised Representative) ensures and declares that the products concerned meet the provisions of the Directive that apply to them

- All IVD's must meet the Essential Requirements of Annex I of the legislation (*art. 3*)
- And the relevant annex that applies based on risk of product (*art. 9*)
- High risk Annex II list A devices require batch release by manufacturer following independent testing by the Notified Body

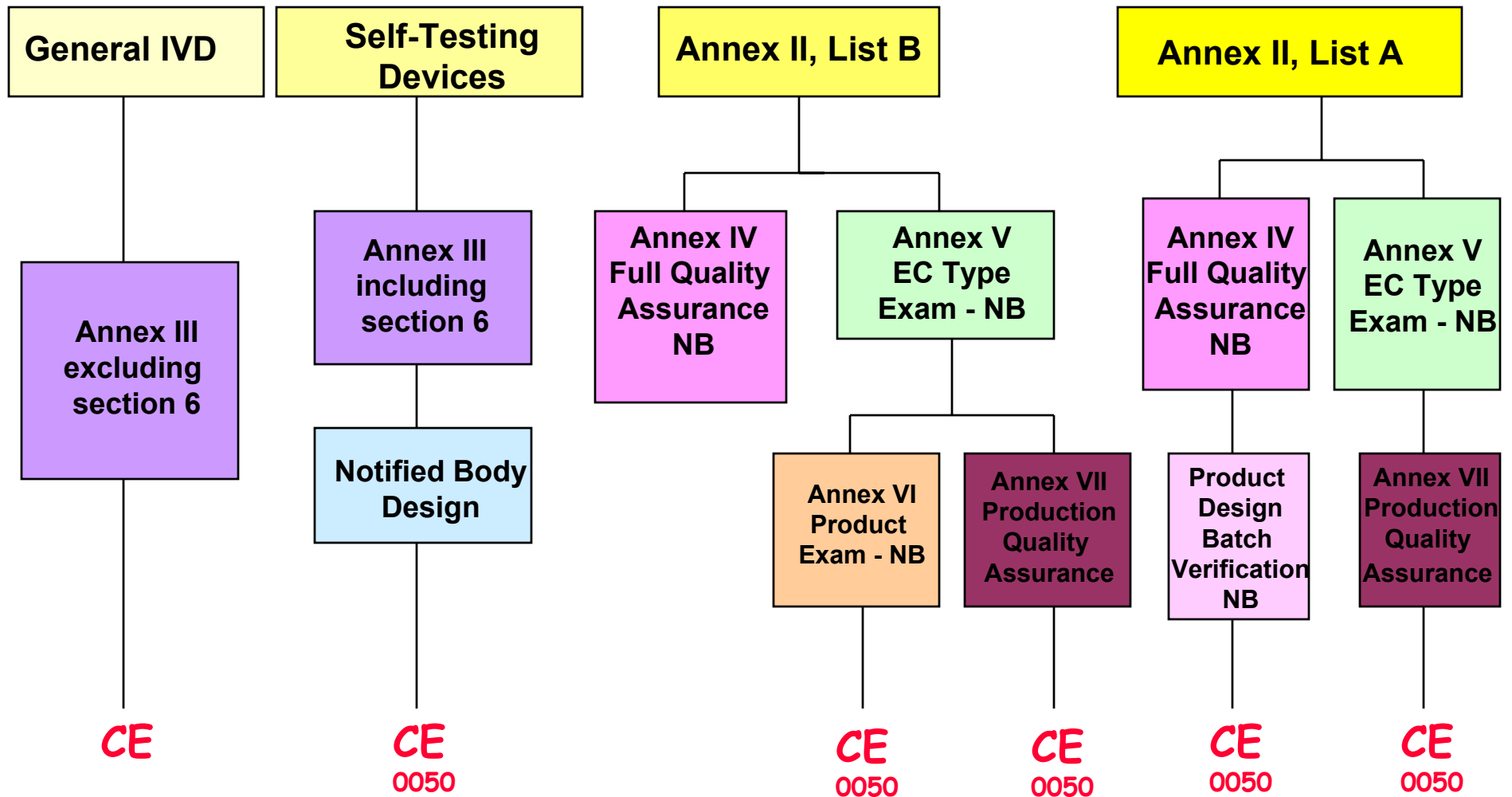


Notified Body

- The organisation which will check whether the appropriate conformity assessment procedures have been followed is known as the Notified Body.
- It is a certification organisation which the Competent Authority, of a Member State designates to carry out one or more of the conformity assessment procedures described in the annexes of the legislation

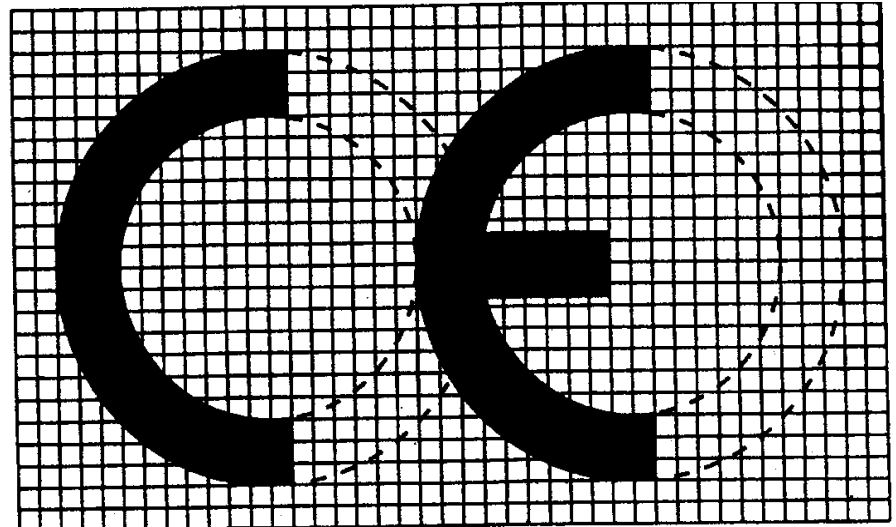


Conformity Assessment



CE Mark

- Conformity with the Essential Requirements of the Directive
- Free movement in the EEA without further control
- Certificate of conformity maximum validity 5 years (*art. 9.10*)



Technical Documentation

- Description of IVD
- Essential Requirements Checklist (Annex I)
- Quality System Documentation
- Design and manufacturing records
 - ❖ Design drawings, Characteristics and limitation of performance of IVD
- Adequate performance evaluation data
 - ❖ Demonstration of performance claimed by manufacturer, comparison to reference methods
- Test records
 - ❖ Results of clinical studies,
- Results of stability studies
- List of harmonised standards that have been applied
- Risk analysis
- Post production review system
 - ❖ Customer complaints, field corrective actions, recalls
- Label and instructions for use



Performance Evaluation

‘any device intended by the manufacturer to be subject to one or more performance evaluation studies in laboratories for medical analyses or in other appropriate environments outside his own premises’ (art 1)

- Do not carry a CE Mark
- Manufacturer must draw up a declaration of conformity
- Follow procedure in Annex VIII
- Register with Competent Authority



Manufacturer

- As per 98/79/EEC Directive (art. 1)
‘The natural or legal person with responsibility for the design, manufacture, packaging and labelling of a device before it is placed on the market under his own name, regardless of whether these operations are carried out by that person himself or on his behalf by a third party’



Implications for Manufacturers

- Registration of all IVD's on the Irish market with the IMB
- Correct classification for IVD's – involvement of Notified Body (e.g. NSAI) where appropriate
- Notify IMB of performance evaluations
- Ensure that Essential Requirements (*Annex I*) fulfilled for declaration of conformity
- Establish Post Market Surveillance system
 - Vigilance, recalls, trending complaints
- Mandatory reporting of all adverse incidents to IMB
- Certificates of free sale for export of IVDs to third countries



Users may become Manufacturers

If a user modifies an IVD (a reagent or an assay kit) substantially hence changing the performance characteristics for the CE Mark they may assume the role of the manufacturer

- Validation
- Technical Documentation
- Essential Requirements
- Declaration of Conformity
- CE Mark



Implications for Users

- Purchase and use CE marked devices for *in-vitro* diagnostic purposes
- Ensure that instructions for use are followed and IVD's are only used for the purpose intended by the manufacturer
- Ensure that staff are appropriately trained and are familiar with IFU
- Establish service and maintenance programmes for IVD's
- Voluntary reporting of serious vigilance issues to IMB
- Cooperation with corrective actions
 - Recall of affected products and implementation of software upgrades



In-house Manufacture

- ‘In-house’ assays used by laboratories and / or health institutions to provide diagnostic and reference services for patients outside their own legal entity
 - Controversary regarding the intrepretation of IVD Directive
- Present position – awaiting legal intrepretation from European Commission
 - MHRA, UK – legal intrepretation outside the scope of the IVD Directive
 - AFSAPPS, France – any Annex II product manufactured in a hospital setting must be CE marked



Vigilance System

- Under the terms of the Irish Medical Devices Regulations the IMB is obliged to institute and coordinate a reporting system for adverse incidents – Vigilance System
 - To improve the protection of health and safety of patients, users and others
 - To reduce the likelihood of a similar incident being repeated
- Mandatory requirement for manufacturer to report adverse incidents to IMB (*Art. 11*)
- User reporting not mandatory but encouraged by IMB



What is an Adverse Incident?

An adverse incident is an event which causes, or has the potential to cause, unexpected or unwanted effects involving the safety of patients, users or other persons

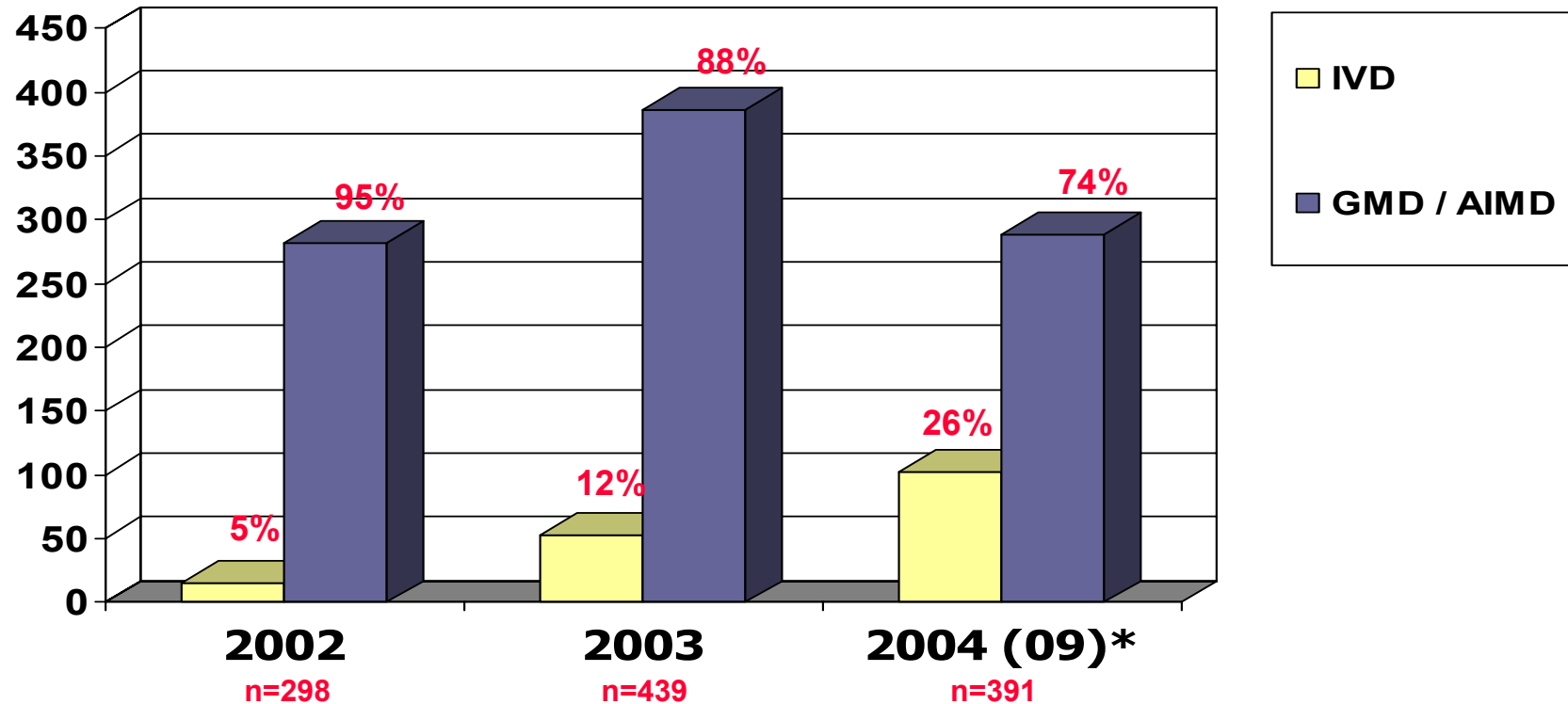


Adverse Incidents that should be Reported

- Incorrect test results that caused or contributed to a delayed or incorrect patient diagnosis and / or treatment
- Product instability or contamination problems
- Deterioration in the performance characteristics of an IVD
 - i.e. analytical and clinical sensitivity and specificity, accuracy and reproducibility
- Reagent or instrument failures
- Defects in product design or development
- Inadequacies in the instructions for use supplied by the manufacturer in particular relating to self-testing devices



Vigilance Reporting for Medical Devices 2002-2004



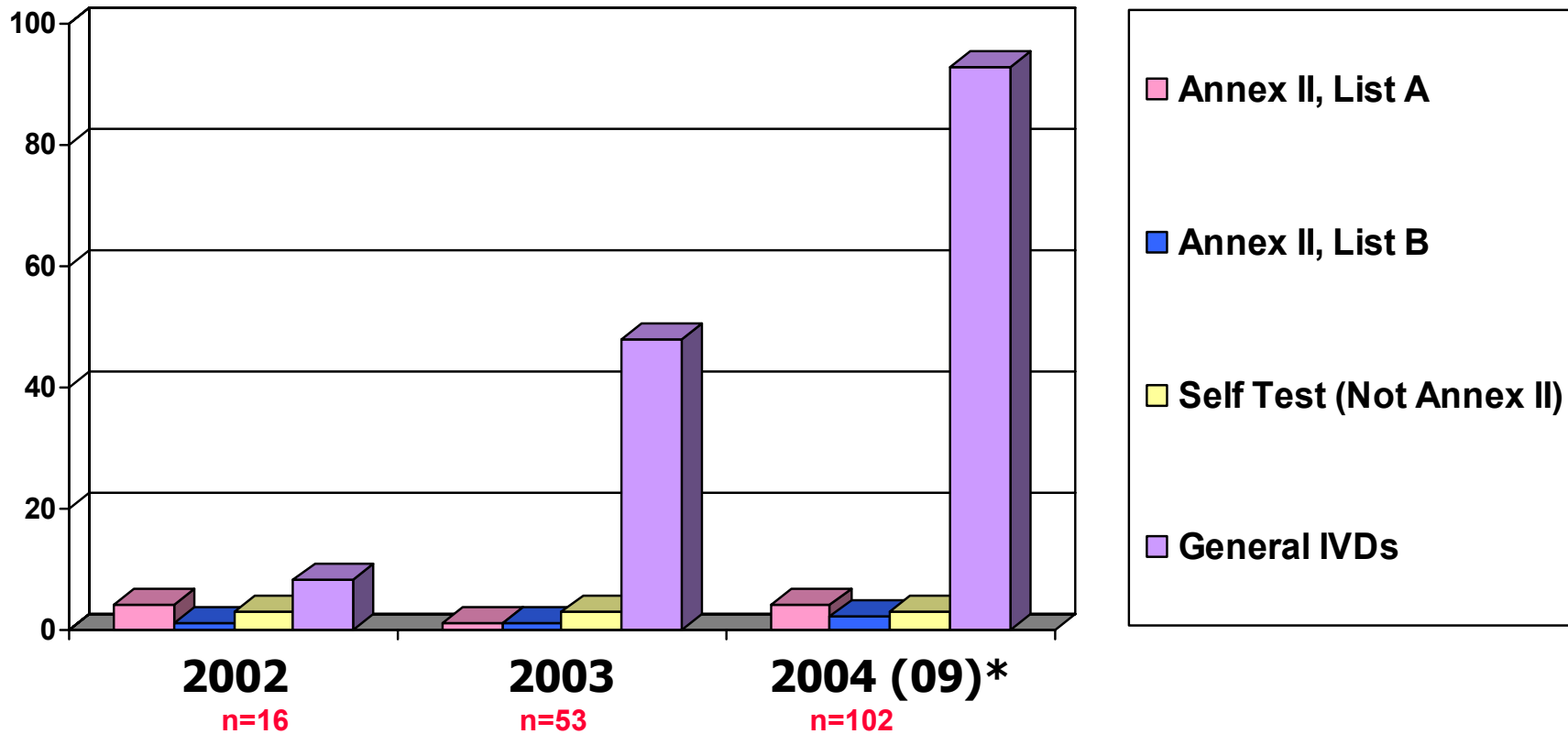
GMD - general medical devices and AIMD - active implantable medical devices

*Vigilance reports to September 2004



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Vigilance Reporting per IVD Class 2002-2004

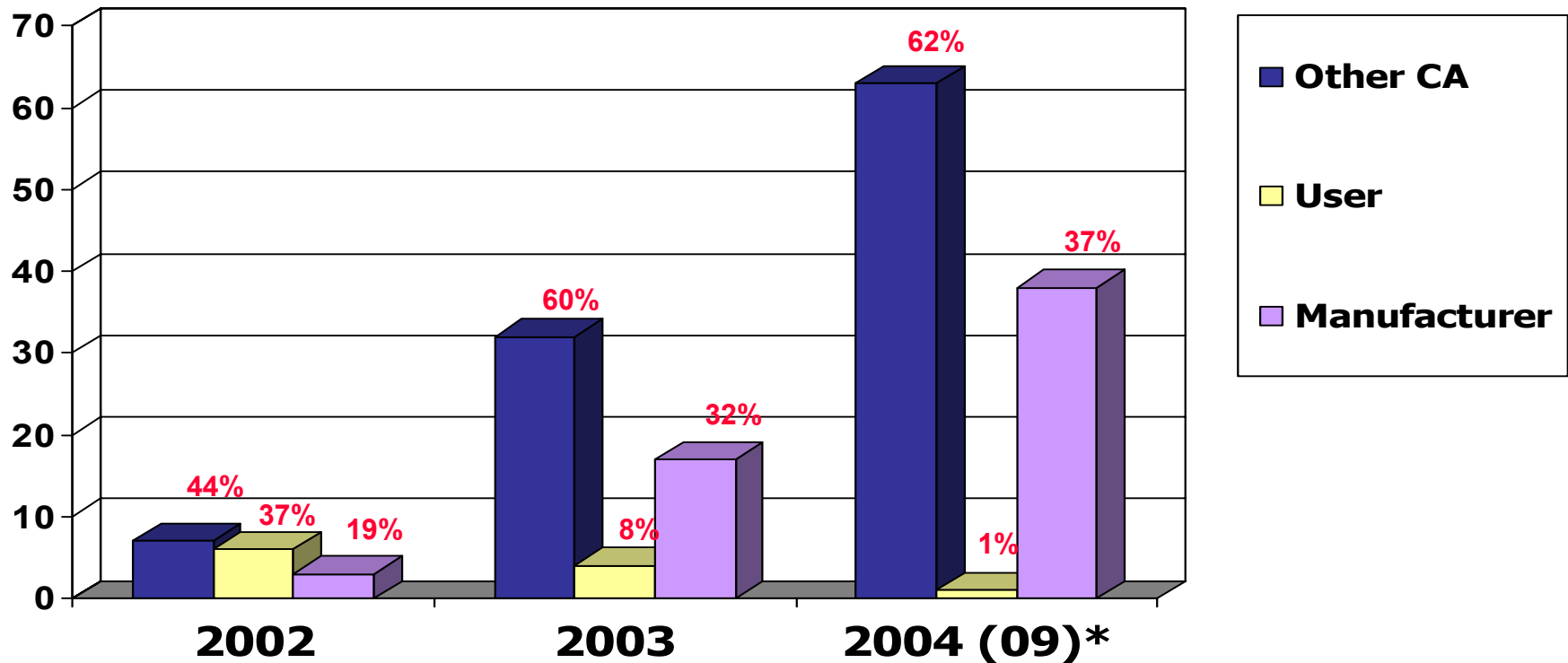


*IVD vigilance reports received to September 2004



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Source of the IVD Vigilance Reports 2002-2004



*IVD vigilance reports received to September 2004



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The Future

- Implementation and enforcement of the IVD legislation
- Ongoing participation in IVD Working Groups at a European level
 - Annex II Working Group - revision to CTS and Annex II list in general
 - IVD Borderline Working Group developing guidance on the borderline area
- IMB developing guidance documents
 - Reporting of IVD adverse incidents - roles and responsibilities
 - Preparation of technical files for general category of IVD's
- Balance between requirements of IVD legislation and development of innovative technologies for the evolving diagnostic and therapeutic environments



IMB MEDICAL DEVICES website



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- home
- events
- news
- registration
- certs of free sale
- premarket surveillance
- postmarket surveillance
- publications
- vigilance

Welcome to our Medical Devices Website

This site has been developed by the Medical Devices Department of the Irish Medicines Board (IMB) to illustrate the services that are in operation with regard to Medical Devices. It is also to facilitate the registration of medical devices used within Ireland.

Upcoming Events

No upcoming events at the moment

News

NEW PUBLICATIONS:
Guidance Note 21 & 22

06/10/2004

PRESS RELEASE: IMB Statement on Boston Scientific Stent Recall - Update

24/09/2004

IMB Safety Notice: SN2004(08)

20/09/2004

registration

register your medical device on line

request entry

search facility

quicksearch

request entry

- home
- search
- about us
- contact us
- faq's
- sitemap
- links
- legal
- www.imb.ie

Useful References

- **The *In-Vitro* Diagnostic Directive 98/79/EC** of the European Parliament and of the Council of 27 October 1998 on *in-vitro* diagnostic medical devices
- **S.I. No. 304 of 2001**, European Communities (*In-vitro* Diagnostic Medical Devices) Regulations, 2001
- **MEDDEV 2.12-1, REV.4 (2001)** - European Commission, Guidelines on a Medical Devices Vigilance System
- **Guidance Note 11** - Guidance Notes on the Introduction to the *In-vitro* Diagnostic Medical Devices (IVD) Legislation
- **Guidance Note 20** - Guidance Note for Manufacturers of the General Class of *In-vitro* Diagnostic Medical Devices regarding Compliance with the Requirements as outlined in S.I. No. 304 of 2001 European Communities (*In-vitro* Diagnostic Medical Devices) Regulations, 2001.

Websites

- IMB Medical Devices Department - www.medicaldevices.ie
 - ❖ User Adverse Incident Report Form, DSF-4-01-01/4 available for download at www.medicaldevices.ie
- European Commission - www.europa.eu.int
- Medicines and Healthcare products Regulatory Agency (MHRA) - www.mhra.gov.uk





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