

**CHECKLIST: Waiver of Written Documentation of the Consent Process**

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**The research must meet one of the following two sets of criteria**

**1 Waiver of Written Documentation of the Consent Process (45 CFR §46.117(c)(1)) (All must be “Yes” – Records or minutes must document protocol-specific findings justifying each of the following determinations.)**

<input type="checkbox"/> Yes <input type="checkbox"/> No	The research is not FDA-regulated.
<input type="checkbox"/> Yes <input type="checkbox"/> No	The written script of the information to be provided orally and all written information to be provided include all required and appropriate additional elements of consent disclosure in <b>Section 7: ELEMENTS OF CONSENT DISCLOSURE</b> in the <b>WORKSHEET: Criteria for Approval and Additional Considerations</b> .
<input type="checkbox"/> Yes <input type="checkbox"/> No	The only record linking the subject and the research would be the consent document.
<input type="checkbox"/> Yes <input type="checkbox"/> No	The principal risk of a signed consent document would be the potential harm resulting from a breach of confidentiality.
<input type="checkbox"/> Yes <input type="checkbox"/> No	Each subject will be asked whether the subject wants documentation linking the subject with the research, and the subject’s wishes will govern.

Select one of the following:

Written information describing the research **is to be provided** to the subject or the subject’s legally authorized representative.

Written information describing the research **does not need to be provided** to the subject or the subject’s legally authorized representative.

**2 Waiver of Written Documentation of the Consent Process (21 CFR §56.109(c)(1) and 45 CFR §46.117(c)(2)) (All must be “Yes” – Records or minutes must document protocol-specific findings justifying each of the following determinations.)**

<input type="checkbox"/> Yes <input type="checkbox"/> No	The written script of the information to be provided orally and all written information to be provided include all required and appropriate additional elements of consent disclosure in <b>Section 7: ELEMENTS OF CONSENT DISCLOSURE</b> in the <b>WORKSHEET: Criteria for Approval and Additional Considerations</b> .
<input type="checkbox"/> Yes <input type="checkbox"/> No	The research presents no more than minimal risk <sup>i</sup> of harm to subjects.
<input type="checkbox"/> Yes <input type="checkbox"/> No	The research involves no procedures for which written consent is normally required outside of the research context.

Select one of the following:

Written information describing the research **is to be provided** to the subject or the subject’s legally authorized representative.

Written information describing the research **does not need to be provided** to the subject or the subject’s legally authorized representative.

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**3 Waiver of Written Documentation of the Consent Process (45 CFR §46.117(c)(1)(iii)) (All must be “Yes” – Records or minutes must document protocol-specific findings justifying each of the following determinations.)**

<input type="checkbox"/> Yes <input type="checkbox"/> No	The research is not FDA-regulated.
<input type="checkbox"/> Yes <input type="checkbox"/> No	The written script of the information to be provided orally and all written information to be provided include all required and appropriate additional elements of consent disclosure in <b>Section 7: ELEMENTS OF CONSENT DISCLOSURE</b> in the <b>WORKSHEET: Criteria for Approval and Additional Considerations</b> .
<input type="checkbox"/> Yes <input type="checkbox"/> No	The subjects or <u>Legally Authorized Representatives</u> are members of a distinct cultural group or community in which signing forms is not the norm.
<input type="checkbox"/> Yes <input type="checkbox"/> No	The research presents no more than <u>Minimal Risk</u> of harm to subjects.
<input type="checkbox"/> Yes <input type="checkbox"/> No	There is an appropriate alternative mechanism for documenting that informed consent was obtained.
Select one of the following: <input type="checkbox"/> Written information describing the research <b>is to be provided</b> to the subject or the subject’s legally authorized representative. <input type="checkbox"/> Written information describing the research <b>does not need to be provided</b> to the subject or the subject’s legally authorized representative.	

<sup>i</sup> *Minimal risk* means that the probability and magnitude of harm or discomfort anticipated in the research are not greater in and of themselves than those ordinarily encountered in daily life of normal persons or during the performance of routine physical or psychological examinations or tests in normal persons.