MedDev 2.7.1 Rev 4
Medical Devices Regulation
Clinical Evidence Requirements – Key Changes and Clarifications

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August 2017
Clinical Evidence Requirements

1. Frequency of updates to the Clinical Evaluation Report (CER)
2. Qualifications of report authors and evaluators
3. Specific and measurable objectives for the CER
4. Establishing the state of the art
5. Scientific validity of data
6. Equivalence
7. Access to data for equivalent devices
8. When is a clinical investigation required?
9. Risk-benefit
10. Post Market Surveillance (PMS) and Post Market Clinical Follow-up (PMCF)

1. Clause 6.2.3
2. Clause 6.4
3. Clause 7 + Appendix 5
4. Clause 8.2
5. Clause 9.3.1
   • Clause 8 + Appendix 5
   • Clause 9 + Appendix 6
   • Clause 10 + Appendix 7
6. Appendix 1
7. Appendix 12.2.3
8. Appendix 2
9. Appendix 7
10. Appendix 12
Clinical Evidence – MedDev 2.7.1 & MDR

Clinical Evidence

• the **clinical data** and **clinical evaluation report** pertaining to a device
• **sufficient amount** and quality to allow a qualified assessment of whether the device is safe and achieves the intended clinical benefit(s) when used as intended by the manufacturer

Clinical Evaluation

• a **systematic and planned** /methodologically sound / process to continuously generate, collect, analyse and assess the **clinical data** pertaining to a device
• to verify the safety and performance, including clinical benefits, of the device when used as intended by the manufacturer

Clinical Data

• clinical investigation on the device concerned
• clinical investigation reported in the scientific literature, of a device for which equivalence to the device in question can be demonstrated
• **peer reviewed** scientific literature on other clinical experience of either the device in question or a device for which equivalence can be demonstrated
• clinically relevant information from the manufacturer’s post-market surveillance system, in particular post-market clinical follow-up
1. Frequency of updates to the Clinical Evaluation Report
MedDev 2.7.1 – 6.2.3 Updating the clinical evaluation

a. Frequency of updates

The manufacturer should define and justify the frequency at which the clinical evaluation needs to be actively updated. When doing so, the manufacturer should typically consider:

- design changes or changes to manufacturing procedures (if any)
- risks, uncertainties or unanswered questions, in the medium or long term
- innovation, changes in clinical sciences, changes in materials sciences
- current confidence in the evaluation of clinical safety and performance (data available from clinical investigations, PMCF studies, registries, other systematic studies, total number of devices used in the market, expected reporting rates under the vigilance system)
- risks – design, materials, components, invasiveness, clinical procedures, high-risk anatomical locations, high-risk populations, severity of disease, treatment challenges
The clinical evaluation is actively updated:

- on receipt of new information from PMS that has the potential to change the current evaluation
- at least annually if the device carries significant risks or is not yet well established
- every 2 to 5 years if the device is not expected to carry significant risks and is well established

When involvement of notified bodies is required, updates are usually coordinated with the notified body. Typically, they are aligned with the timetable for surveillance audits and the renewal of the certificates.
MDR – Article 86 – Periodic Safety Update Report

• Throughout the lifetime of the device concerned the PSUR shall set out:
  • Outcomes of the PMS/PMCF
  • Outcomes of any CAPAs
  • Volume of Sales (including):
    - Estimate of the size and other characteristics of the Population that use the device
    - Where practicable usage frequency of the device
  • Conclusions of the risk benefit analysis

• For class IIa, class IIb and class III devices a periodic safety update report (‘PSUR’) for each device and where relevant for each category or group of devices is required.

• Class IIa devices – PSUR update (when necessary per PMS data) and at least every two years

• Class IIb and III devices – PSUR updates (when necessary per PMS data) and at least annually

• For class III and/or implantable devices shall submit PSUR reports via Eudamed to the Notified Body

• Notified Body shall review, add its evaluation with details of any action taken, and make available to the Competent Authorities via Eudamed.
MDR – Article 32 – Summary of Safety and Clinical Performance (SSCP)

• **SSCP shall include at least the following:**
  - Manufacturer + SRN
  - Device + UDI-DI
  - Intended Purpose, Indications, Contraindications and Target Population
  - Description, previous variant(s), differences, accessories, other products intended to be used in combination
  - Possible diagnostic or therapeutic alternatives
  - Harmonised Standards / Common Specifications
  - Summary of the Clinical Evaluation Report + PMCF
  - Suggested profile and training for users
  - Information on residual risks, undesirable effects, warnings & precautions

• SSCP required for all implantable devices and/or for class III devices

• The SSCP shall be written in a way that is clear to the intended user and, if relevant, to the patient and shall be made available to the public via EUDAMED

**Article 61 – Clinical Evaluation**

For class III devices and/or implantable devices, the PMCF report and SSCP shall be updated at least annually.
2. Qualifications of report authors and evaluators
MedDev 2.7.1 – 6.4 Who should perform the clinical evaluation?

Evaluators should have at least the following, in a relevant field:

• **a degree from higher education in the respective field + 5 years of documented professional experience**; or

• **10 years of documented professional experience if a degree is not a prerequisite for a given task.**

There may be circumstances where expertise may be different; this should be documented and duly justified.
3. Specific and measurable objectives for the CER
Definition of scope of the clinical evaluation

Device specification
(technology, intended use, design history)

Essential Requirements requiring clinical evidence

Scope of clinical evaluation
(products/models/sizes/settings, state of the art / benchmarks, conditions of and intended use, safety and performance requirements)

Specific and measurable objectives
(typically part of Clinical Evaluation Plan)
The literature search and literature review protocol (part of the Clinical Evaluation Plan) should:

- address the objectives of the review
- specify the methods for identification, selection, collection and appraisal of the relevant publications
- include the literature search methodology / protocol
- be objective, non-biased and systematic

Examples are:

- Cochrane Handbook for Systematic Reviews of Interventions
- PRISMA (The Preferred Reporting Items for Systematic Reviews and Meta-Analyses) Statement
- MOOSE Proposal (Meta-analysis Of Observational Studies in Epidemiology)
- PICO (patient population, intervention, comparator / control, and outcome)
4. Establishing the state of the art
State of the Art:

• applicable standards
• guidance documents
• data that relate to benchmark devices
• medical alternatives or to the specific medical conditions and patient populations intended to be managed with the device

The data are typically needed in order to:

• identify the current knowledge in the corresponding medical field,
• identify potential clinical hazards (due to substances, technologies, manufacturing procedures and impurities),
• justify validity of criteria used for equivalence,
• justify validity of endpoints.
5. Scientific validity of data
MedDev 2.7.1 – 9.3.1. Evaluate methodological quality and scientific validity

• Sufficient clinical evidence: an amount and quality of clinical evidence to guarantee the scientific validity of the conclusions

• Key sections of MedDev 2.7.1:
  • 9.3.1: How to evaluate methodological quality and scientific validity
  • A6: Appraisal of clinical data - examples of studies that lack scientific validity

• Some of the items that we look for on examining clinical data are:
  • The methods used to generate / collect the data and evaluate the extent to which the safety or performance outcomes can be considered to be due to intervention with the device or due to:
    - confounding influences (natural course of the underlying medical condition, concomitant treatments)
    - bias
    - random error
    - inadequate disclosure of information
    - misinterpretation

• Note: Some papers considered unsuitable for demonstration of adequate performance because of poor elements of the study design or inadequate analysis may still contain data suitable for safety analysis or vice versa.
Sufficient clinical evidence: an amount and quality of clinical evidence to guarantee the scientific validity of the conclusions
6. Equivalence

**Technical**
- be of similar design
- used under similar conditions of use
- have similar specifications and properties (e.g. physicochemical properties such as intensity of energy, tensile strength, viscosity, surface characteristics, wavelength, software algorithms, porosity, particle size, nanotechnology, specific mass, atomic inclusions – nitrocarburising, oxidability)
- use similar deployment methods (if relevant)
- have similar principles of operation and critical performance requirements

**Biological**
- use same materials or substances in contact with the same human tissues or body fluids
- for a similar kind and duration of contact and similar release characteristics of substances
- including degradation products and leachables
  - Exceptions can be foreseen for devices in contact with intact skin and minor components; in these cases risk analysis results may allow the use of similar materials taking into account the role and nature of the similar material. Evaluators should consider biological safety (e.g. ISO 10993) as well as other aspects necessary for a comprehensive demonstration of equivalence. A justification explaining the situation should be provided for any difference.

**Clinical**
- used for the same clinical condition or intended purpose (including similar severity and stage of disease, medical indication)
- at the same site in the body
- in a similar population (including age, gender, anatomy, physiology)
- have same kind of user
- not foreseen to deliver significantly different performances
- have similar relevant critical performance according to the expected clinical effect for a specific intended purpose
For assuming equivalence:

- each device with which equivalence is claimed must fulfil all clinical, technical, biological characteristics;

- differences between the device under evaluation and the device presumed to be equivalent need to be identified, fully disclosed, and evaluated; explanations should be given why the differences are not expected to significantly affect the clinical safety and performance;

- potential impact of differences in manufacturing processes on technical and biological characteristics should be considered;

- where possible, clinically relevant specifications and properties should be measured both in the device under evaluation and the device presumed to be equivalent, and presented in comparative tabulations;

- comparative drawings or pictures should be included in order to compare shapes and sizes of elements that are in contact with the body;

- material characterisation and comparative testing in accordance with ISO 10993 series should be undertaken to demonstrate biological equivalence;

- data required to demonstrate equivalence should be summarised in the CER, and the location of supporting information in the technical file cited.
MedDev 2.7.1 – A1 Demonstration of equivalence

For clinical data to be considered relevant, the equivalent device must be:

- CE-marked
- used in accordance with its intended purpose (of the subject device) as documented in the IFU

**Note:** Exceptions can be considered.

When the equivalent device is **not a CE-marked device**, information concerning the regulatory status of the equivalent device and a justification for the use of its data should be included in the clinical evaluation report. The justification should explain if the clinical data is transferrable to the European population, and an analysis of any gaps to good clinical practices (such as ISO 14155) and relevant harmonised standards.
7. Access to data for equivalent devices
MedDev 2.7.1 – A12.2.3 – Clinical data from an equivalent device and other products

- **Equivalent devices**
  - The notified body should clearly document its assessment of clinical data presented from an equivalent device as part of a clinical evaluation. This should critically review and conclude on the equivalence or not of the device under assessment to the devices presented as equivalent in terms of their technical, biological and clinical characteristics. The relevance of each dataset from an equivalent device should be clearly evident and assessed by the notified body.

- The notified body should also **assess and document the level of access** to the technical and clinical data from an equivalent device that the manufacturer has.

- Relevant information may be commercially sensitive / confidential and not available to the manufacturer. The notified body should **challenge the ability of the manufacturer to access information** that are relevant to the demonstration of equivalence.

- **Demonstration of equivalence might be difficult or impossible in case of limited access to the technical documentation of the devices.**
Clinical Evaluation and Investigation – Article 61 (MDR) – Clinical Evaluation

Equivalence can only be claimed for:

• Design modifications of manufacturer’s own CE-marked devices
• Where there is a contract in place with the other manufacturer allowing full access to the data on an ongoing basis
• From clinical and PMCF perspectives, the device characteristics shall be similar to such an extent that there would be no clinically significant difference in the safety and clinical performance of the device.

There will be exceptions: “Clinical investigations need not be performed in the following cases – *sutures, staples, dental fillings, dental braces, tooth crowns, screws, wedges, plates, wires, pins, clips or connectors* for which the clinical evaluation is based on sufficient clinical data and is in compliance with the relevant product-specific common specification, where such a common specification is available”
Clause 4

• In the case of implantable devices and class III devices, clinical investigations shall be performed except if:
  • the device has been designed by modifications of a device already marketed by the same manufacturer
  • the modified device has been demonstrated to be equivalent (Annex XIV) and this has been endorsed by the Notified Body
  and
  • the clinical evaluation is sufficient to demonstrate conformity with the relevant safety and performance requirements.

• In this case the notified body shall check that the PMCF plan is appropriate and includes post market studies to demonstrate the safety and performance of the device.
Clause 5

A manufacturer of a device demonstrated to be equivalent to an already marketed device not manufactured by him, may not need to perform a clinical investigation provided that the following conditions are fulfilled in addition to what is required in the paragraph above:

- the two manufacturers have a **contract in place** that explicitly allows the manufacturer of the second device **full access to the technical documentation** on an **ongoing basis**, and
- the original clinical evaluation has been performed in compliance with the requirements of this Regulation, and
- the manufacturer of the second device provides clear **evidence** thereof to the notified body.
8. When is a clinical investigation required?
MedDev 2.7.1 – A2 When should clinical investigations be carried out?

**How should manufacturers and evaluators decide if there is sufficient clinical evidence?**

- When clinical data are required in order to draw conclusions as to the conformity of a device to the Essential Requirements, the data need to be in line with current knowledge / the state of the art, be scientifically sound, cover all aspects of the intended purpose and all products / models / sizes / settings foreseen by the manufacturer.

- If gaps are present that cannot be addressed by other means, clinical investigations should be planned and carried out.
When should clinical investigations be carried out?

**Devices likely to require clinical investigation data:**

- Implants / High-risk devices
- Devices based on technologies where there is little or no experience
- Devices that extend the intended purpose of an existing technology

**Annex X MDD / Annex 7 AIMDD:**

- Clinical investigations are required for implantable and class III devices unless it can be duly justified to rely on existing clinical data alone.
- The need for clinical investigations depends on the ability of the existing data to adequately address the safety, performance, benefit/risk profile, claims and side-effects in order to comply with the applicable Essential Requirements.
- Clinical investigations may also be required for other devices, including class I, class IIa and class IIb devices that are not implantable.
MedDev 2.7.1 – A2 When should clinical investigations be carried out?

**Special attention should be given to:**
- new design features, new materials,
- new intended purposes, new medical indications,
- new target populations (age, gender),
- new claims,
- new types of users (lay persons),
- seriousness of direct and/or indirect risks,
- contact with mucosal membranes or invasiveness,
- increasing duration of use or numbers of re-applications,
- incorporation of medicinal substances,
- use of animal tissues,
- medical alternatives with lower risks greater benefits are / become available,
- new risks are recognised (due to progress in medicine, science, technology),
- whether the data are amenable to evaluation through a clinical investigation
Clause 6

• The requirement to perform clinical investigations shall not apply to implantable devices and class III devices:

(a) which have been lawfully placed on the market or put into service in accordance with Directive 90/385/EEC or Directive 93/42/EEC and for which the clinical evaluation:

• is based on sufficient clinical data, and
• is in compliance with the relevant product-specific Common Specification for the clinical evaluation of that kind of device, where such a CS is available; or

(b) that are sutures, staples, dental fillings, dental braces, tooth crowns, screws, wedges, plates, wires, pins, clips or connectors for which the clinical evaluation is based on sufficient clinical data and is in compliance with the relevant product-specific CS, where such a CS is available.
9. Risk-benefit
MedDev 2.7.1 – A7.2 Requirement for acceptable benefit/risk

a) Evaluation of the description of the intended purpose of the device

b) Evaluation of the device’s benefits to the patient

c) Quantification of benefit(s) to the patients
   - Probability of the patient experiencing one or more benefit(s)
   - Duration of effect(s) of the benefits

d) Evaluation of the clinical risks of devices (extent of risk(s) / harm(s), the following should be addressed individually and in aggregate):
   - Severity, number and rates of harmful events
   - Probability of a harmful event
   - Duration of harmful events
   - Risk from false-positive or false-negative results (diagnostic medical devices)

 e) Evaluation of acceptability of the benefit/risk profile
10. Post Market Surveillance (PMS) and Post Market Clinical Follow-up (PMCF)
An audit as part of a quality system assessment, the notified body assesses:

- procedure clinical evaluation
- PMS plan (Annex II)
- PMCF plan (Annex XIV) & PMCF outcomes
- Representative sample of Class IIa and IIb devices (sample based on risk and novelty)

A design or type examination dossier assessment, the notified body assesses:

- data presented in the clinical evaluation report
- validity of the conclusions drawn by the manufacturer
- conformity of the device to relevant essential requirements

In reviewing the evaluation of clinical data, the notified body verifies and concludes whether or not the manufacturer has adequately:

- provided detail of the PMS plan for the particular device and justified the appropriateness and adequacy of this plan
- clearly identified data needed from PMS and PMCF
- justified the appropriateness of the planned PMCF
- justified and documented rationale, if PMCF is not planned
- identified the sources of clinical data which will be gathered from the manufacturer’s PMS system and PMCF
Questions & Answers

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Brochure, Webinar & Whitepaper – MedDev 2.7.1 Rev 4 & MDR

Webinar – 18 October 2016
Planning for implementation of the European Union Medical Devices Regulations – Are you prepared?

Bernard Henry, Vice President, Quality & Compliance, Johnson & Johnson Medical Ltd