

## FDA Remote Regulatory Assessment Information

### 1. What is an RRA?

Remote Regulatory Assessment (RRA) is a voluntary program for medical device facilities being piloted by FDA's Office of Medical Device and Radiological Health Operations (OMDRHO). In these assessments, an investigator from FDA will request and review electronic documents to determine your basic regulatory compliance. The FDA investigator will not be visiting or observing your operations as part of this assessment. Throughout the process, the investigator will communicate findings as applicable.

### 2. Why is FDA/OMDRHO conducting RRAs?

An unprecedented worldwide pandemic has prompted OMDRHO to evaluate processes in order to continue our public health mission while ensuring the safety of our staff and personnel of the establishments we regulate.

### 3. What is my role in the RRA?

During the initial meeting, the investigator will request documents and records associated with your firm's operations and quality system. If available electronically, you can provide these documents to the investigator using the method(s) listed in question #4 below. Please notify the investigator of any documents requested that cannot be readily provided in electronic format.

After this initial meeting, the investigator may request one or more additional meetings with your firm to be held remotely. During these meetings, the investigator may ask questions to clarify the information previously obtained and may request additional electronic documents.

At the conclusion of the RRA, the investigator will request a meeting with your firm's management to go over any concerns identified during their document review and provide you an opportunity to respond.

### 4. How can I provide electronic documents?

There are currently two methods approved to securely transmit electronic documents. You may discuss other options with the investigator, however, we will need to vet it through our Policy's office for approval. Please communicate with the FDA investigator if any files you send require special programs to open (other than standard office/PDF formats) or have access protections (such as a password); we may need you to modify the file to allow us to review those documents.

#### *a. Email*

If you have not previously worked with the FDA to become a Secure Email Partner, or you are not sure if you are currently a Secure Email Partner, contact [SecureEmail@fda.hhs.gov](mailto:SecureEmail@fda.hhs.gov) to request assistance. Our Office of Information Management and Technology (OIMT) will work with your firm to set up secure communications. Please notify the investigator of any delays due to this encryption being set up.

Once established, you can send files requested via email to the FDA investigator directly via one or more emails. Your email subject line should include at least the words “Remote Regulatory Assessment” and your firm’s name. Due to email limitations, attachments may not be more than 100 megabytes per email. If you send more than one email due to this limitation, please indicate the number of emails expected (e.g. “1 of 3”) in the subject line.

***b. Cloud file sharing (CFS)***

CFS through box.com can securely transfer and store document uploaded as large as 15 gigabytes per file and no limit on the number of files. Due to limited availability, OMDRHO has assigned one support staff member in each division to be an Account holder. The Account holder will facilitate the file sharing. You will need to set up an account via the free account option BOX offers or fund your own paid account. If you would like to use box.com during the RRA, please notify the Investigator.

Once a secure URL is provided, you will be able to visit and upload documents to this service, which will then be made available remotely to the Investigator. After the conclusion of the RRA, files uploaded by your firm will be removed from the service.

**5. What happens if I do not want to participate or provide information/documents?**

Your participation in this RRA is voluntary. You may decline to participate in the RRA at any time, and non-participation will not result in regulatory action. Refusal to provide information requested during an RRA is not a refusal under FDA’s inspection authority found in Section 704 of the Food Drug and Cosmetic Act (21 USC 374).

If you do not provide information or documents requested, the RRA may be terminated, and an on-site inspection may be scheduled at your facility.

**6. What are the outcomes of an RRA?**

These RRA findings will be considered by management during future routine FDA workplans and will be a factor in deciding the need for an onsite inspection.

If significant concerns are found during the RRA, an on-site inspection of your firm may be scheduled, or communication with Compliance Branch may be considered.

If you decide not to participate in the RRA at any time, or if information provided by your firm cannot be fully assessed remotely, an on-site inspection may be scheduled.

**7. Who are my contacts during the RRA?**

While the RRA is ongoing, your first point of contact for any questions or concerns is the FDA Investigator assigned to your RRA.

If you cannot resolve the concern with the Investigator, you may contact the Director of Investigations Branch, who is responsible for overseeing medical device investigations conducted in your area:

Eric Anderson, DIB, OMDRHO Division 3

[Eric.Anderson@fda.hhs.gov](mailto:Eric.Anderson@fda.hhs.gov)

510-337-6752

## **8. Who are my contacts after the RRA has concluded?**

### ***a. Response to the RRA***

If your firm wishes to submit a response to any concerns identified by the Investigator during your RRA, you may email RRA related correspondence to the following email address: [ORADevices3FirmResponse@fda.hhs.gov](mailto:ORADevices3FirmResponse@fda.hhs.gov). Your response should include in the subject line the words “**Remote Regulatory Assessment**” and provide your **firm’s name**. If any attachments are provided, you should clearly label/identify them for ease of review. Due to email limitations, attachments may not be more than 100MB per email. If you send more than one email due to this limitation, please indicate the number of emails (e.g. “1 of 3”).

### ***b. Recalls of Medical Devices***

If your firm plans to, or has initiated a recall, you should contact the email address below and a recall coordinator will contact you.

[oradevices3recalls@fda.hhs.gov](mailto:oradevices3recalls@fda.hhs.gov)

Mark Chan, (408) 291-7548 ext. 1108

Paul Frazier, (214) 253-5340

Theresa Kirkham, (949) 608-4437

### ***c. General Regulatory Information***

If you have general medical device or radiological health regulatory questions, you may contact the Center for Devices and Radiological Health’s (CDRH) Division of Industry and Consumer Education (DICE) at the following.

[DICE@fda.hhs.gov](mailto:DICE@fda.hhs.gov)

1(800) 638-2041 or (301) 796-7100

[www.fda.gov/DICE](http://www.fda.gov/DICE)

## **9. How can I get a copy of the report for my RRA?**

Since an RRA is not an inspection, FMD-145 does not apply and a copy of the report will not automatically be provided to you. If you wish to obtain a copy of this report, please submit a request using the FDA Freedom of Information Act (FOIA) process, outlined here:

<https://www.accessdata.fda.gov/scripts/foi/FOIRequest/index.cfm>. Please note you may be charged a fee for processing your request.