PSEHB/MDED
Notification No. 0831-14
August 31, 2020

To: Directors of Prefectural Health Departments (Bureaus)

Director of Medical Device Evaluation Division, Pharmaceutical Safety and Environmental Health Bureau, Ministry of Health, Labour and Welfare
(Official seal omitted)

Handling Application for Confirming Change Plans for Medical Devices

The Act for Partial Amendment of the Act on Securing Quality, Efficacy, and Safety of Products Including Pharmaceuticals and Medical Devices (Act No. 63 of 2019), promulgated on December 4, 2019, regarding the Act on Securing Quality, Efficacy, and Safety of Products Including Pharmaceuticals and Medical Devices (Act No. 135 of 1960; hereinafter referred to as "the Act"), as amended by the aforementioned law, will come into effect on September 1, 2020.

We have decided to handle the advanced notification system for confirmation of the change plan for medical devices, and changes in accordance with the plan as follows. Please be aware of the following and make it known to relevant organizations and organizations in your jurisdiction.

Please note that a copy of this notification will be sent to the Chairperson of the Pharmaceuticals and Medical Devices Agency, the Chairperson of the Japan Federation of Medical Devices Association, the Chairperson of the American Medical Devices and Diagnostics Manufacturers' Association, the Chairperson of the Medical Equipment and IVD Committee of the European Business Council, and the Chairperson of the Pharmaceutical and Medical Device Act Registered Certification Bodies Council.

Notice

Part 1 Consultation on the scope and application of this notification

With respect to medical devices approved under Article 23-2-5, Paragraph 1 of the Act, when an application is filed by a person who intends to formulate a change plan for said medical device pursuant to the provisions of Article 23-2-10-2 (including cases in which it is applied mutatis mutandis pursuant to Article 23-2-19 of the Act) and implement it, or have it implemented by a designated commercial manufacturer, the necessary confirmation shall be conducted regarding the change plan concerning the intended use or effect, shape, structure, principle, raw materials, standards concerning performance

and safety, method of use, storage method, expiration date, and manufacturing method of said medical device.

This notification covers items pertaining to applications for confirmation of change plans for medical devices pursuant to the provisions of Article 23-2-10-2 of the Act (including cases in which it is applied mutatis mutandis pursuant to Article 23-2-19 of the Act). In applying for confirmation of a change plan, it is necessary to formulate a change plan that provides sufficient grounds for demonstrating the quality, efficacy, and safety of the medical device based on a plan that ensures ethical considerations, scientific validity, and reliability.

Furthermore, considering the applicability of the scope of this notification from the stage of examining the change plan will lead to the smooth and efficient formulation of the change plan and the implementation of the change in accordance with the change plan. Therefore, when requesting confirmation of a change plan, for the time being, an application for pre-consultation for medical device development at the Pharmaceuticals and Medical Devices Agency (hereinafter referred to as "PMDA") shall be submitted, and advice shall be received in advance as to whether the submitted change plan is subject to this notification.

Part 2　Matters to be described in the application to confirm the change plan

In applying for confirmation of a change plan, each item to be stated in the "Application for Confirmation of Medical Device Change Plan" and the "Application for Change of Confirmed Items of Medical Device Change Plan" as stipulated in Article 114-45-2, Paragraph 1 and Paragraph 2 of the Regulation for Enforcement of the Act on Securing Quality, Efficacy and Safety of Products Including Pharmaceuticals and Medical Devices (Ordinance of the Ministry of Health and Welfare No. 1 of 1961; hereinafter referred to as "the Ordinance") revised by the Ordinance concerning the Arrangement of Related Ministerial Ordinances Following the Enforcement of the Act for Partial Revision of the Act on Securing Quality, Efficacy, and Safety of Products Including Pharmaceuticals and Medical Devices(Ordinance of the Ministry of Health, Labour and Welfare No. 155 of 2020), materials shall be submitted that summarize the contents accurately and concisely, and that include information on the reasons for setting the change plan, information on conformity to "Standards for Medical Devices Designated by the Minister of Health, Labour and Welfare Pursuant to the Provisions of Article 41, Paragraph 3 of the Act on Securing Quality, Efficacy and Safety of Products Including Pharmaceuticals and Medical Devices" (Ministry of Health, Labour and Welfare Notification No. 122 of 2005), and other relevant information. The materials must be written in Japanese.

In addition to what is separately stipulated, the items to be stated in each column of the Application for Confirmation of Medical Device Change Plan shall, in accordance with the cautionary items indicated in Part 2 of the "Matters to Be Observed in Preparing an Application for Marketing Approval of Medical Devices" PFSB/ELD Notification No.1120-1 of November 20, 2014, Counselor, Minister's Secretariat, Ministry of Health, Labour and Welfare(Official in charge of medical device and regenerative medicine product review and management)), be described in the form of a comparison table

between before and after the change is made by the change plan, in principle, and shall be in accordance with the following.

1 Category column

For classification, enter the contents described in the category column of the approval document of the product for which a change plan confirmation application is made. In addition, if the product for which an application for confirmation of a change plan is being reviewed concurrently, the category described in the application form shall be described.

2 Name

(1) Enter the generic name described in the generic name column in the approval document. In addition, if the product for which an application for confirmation of change plan is being reviewed concurrently, the generic name described in the application form shall be provided.

(2) Enter the content described in the proprietary name column of the approval document. In addition, if the product for which an application for confirmation of change plan is being reviewed concurrently, the proprietary name described in the approval application form shall be provided.

3 Remarks

(1) If the item for which a change plan confirmation application is filed is also under approval review, the application date of the approval shall be stated in the remarks column.

Part 3 Handling Documents to be Attached to the Application for Confirmation of Change Plans and Points to Keep in Mind When Preparing Them

1 The test plan for preparing the documents to be attached to the change plan confirmation application form (hereinafter referred to as “attached documents”) specified in Article 114-45-2, Paragraph 3, Item 1 and Item 2 of the Ordinance shall comply with the Ministerial Ordinance on Good Laboratory Practice for Nonclinical Safety Studies of Medical Devices (Ordinance of the Ministry of Health, Labour and Welfare No. 37 of 2005) and the Ministerial Ordinance on Good Clinical Practice for Medical Devices (Ordinance of the Ministry of Health, Labour and Welfare No. 36 of 2005), and shall be one for which an appropriate plan has been formulated based on the academic standards of medicine, pharmacy, engineering, etc. at the time by experienced researchers in a facility with sufficient equipment. The documents to be prepared from the test results obtained in accordance with the test plan must be collected and prepared in accordance with the provisions of Article 114-22 of the Ordinance.

2 The attached documents shall generally be those listed in the right-hand column of the attached documents listed in the left-hand column of Attached Tables 1 and 2. However, some documents may not be attached depending on the content of the change.

3 The attached documents shall comply with the "Matters to be Observed in Preparing the Documents Attached to the Application for Marketing Approval of Medical Devices" (PFSB/ELD Notification No. 0120-9 of January 20, 2015, Counselor, Minister's Secretariat, Ministry of Health, Labour and Welfare(Official in charge of medical device and regenerative medicine product review and management); hereinafter referred to as the "Approval Application Attached Document Notification") and shall follow the format of the Summary Technical Document agreed upon by the Global Harmonization Task Force, in accordance with the following.

The protocol based on the change plan shall comply with Article 114-22 of the Ordinance and shall be structured to enable precise and objective consideration. In addition, when attaching the results report for the already conducted test, it shall include the necessary information for the test report indicated in Part 1 of the Approval Application Attached Document Notification. The general points to keep in mind regarding the preparation of documents in this case shall follow Section 2 of the Approval Application Attached Document Notification.

4 Data to be attached to the application for confirmation of the change plan must be written in Japanese. However, if the attached documents are not written in Japanese, it is acceptable to attach the attached documents in their original language, but a summary (abstract) prepared in Japanese should be attached.

5 In the case of an application for confirmation of change of confirmed items of a change plan as provided in Article 23-2-10-2, Paragraph 1 of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 23-2-19 of the Act), some of the attached documents may not be attached.

Part 4 Handling application to confirm the change plan

1 Editing Documents for Change Plan Confirmation

(1) In accordance with Part 2, a copy of a set of application forms shall be attached at the time of application as a document to confirm the change plan. In this case, the documents should be compiled in the following manner in principle.

i. Copy of Change Plan Confirmation Application

ii. A copy of the marketing approval document (including the approval document for partial changes in approved items for marketing and the notification of minor changes in approved items for marketing) or a copy of the marketing approval application form (including an application for approval of partial changes in approved items for marketing). A copy of the marketing approval document should be a document that shows the latest approved items for each item related to the marketing approval matters of the product concerned, and a copy of documents other than the latest approved items need not be included in the document in principle but should be available for submission promptly at the request of the PMDA.

iii. Attachments

iv. Attachment (protocol, etc.)

v. Certificates (draft contract document for joint development [copy], etc.)
vi. Other reference materials

(2) When editing documents, consider the following points.

(a) If any figures, tables, photos, etc. related to the protocol are unclear, the photos shall be submitted in a separate album.

(b) Attach a sample of the draft protocol, draft case report form, etc. to be submitted as documents related to the protocol of the clinical study. Other draft appendix documents do not need to be incorporated in principle; however, if requested by the PMDA, they should be submitted promptly.

Part 5 Handling changes in the change plan

1 Handling applications to confirm changes in the change plan

When changing a change plan, whether to apply for confirmation of the change plan or to submit a minor change notice should be determined comprehensively based on whether or not the change requires evaluation of the quality, efficacy, and safety of the change plan for the said product. As for the applicability to each item of Article 114-45-7, Paragraph 2 of the Regulations, it is necessary to confirm whether the quality, efficacy, and safety are ensured by verifying that design control and risk management are appropriately performed by the commercial manufacturer. Therefore specific cases requiring application for confirmation of changes in confirmed matters of the change plan shall be notified separately. The PMDA shall be consulted as necessary until such notification is made.

2 Editing Confirmation Application Documents Related to the Change Plan

(1) When making an application to confirm changes in the items to be confirmed for change plans, attach a copy of a set of application forms at the time of application according to 4-1, and also attach a copy of the following documents so that the latest approved items or confirmation items of each item related to the items for manufacturing and marketing approval of the relevant product and the items for confirmation of change plans can be understood. In principle, it is not necessary to include copies of documents other than the latest approved or confirmed items; however, you should be able to submit them promptly if requested by the PMDA.

i. A copy of the change plan confirmation sheet (including change confirmation sheet for confirmation of change plan and minor change notification for confirmation of change plan)
ii. A copy of the marketing approval document (including approval document for partial changes in approved items for marketing and notification of minor changes in approved items for marketing)
iii. A copy of the marketing approval application document (including an approval application document for partial changes in approved items for marketing)

(2) When a minor change in the confirmed matters of the change plan is made by submitting a minor change notification, a set of minor change notifications for the confirmed matters of the change plan specified in Article 114, Section 45, Section 7, Paragraph 1 of the Regulations shall be submitted.

(3) In the remarks column of the change confirmation application for change plan confirmation matters or the minor change notification for change plan confirmation matters, describe the matters related to the change among the matters shown in 2-3, and also describe the reason for the change and the specific contents of the change in the form of a comparison table. In addition, a progress table will be presented to confirm the marketing approval and change plan.

Part 6 Handling changes according to the change plan

1 Handling changes according to the change plan

In making a change in accordance with the change plan, a comprehensive judgment must be made as to whether an evaluation of the quality, efficacy, and safety of the product in question is required in connection with the change, whether the change should be reported within the scope of notification in accordance with the change plan, or whether an application for approval of a partial change of approved items should be filed. Therefore, the applicability to Paragraph 1 or Paragraph 2 of Article 114-45-12 of the Regulations shall be notified separately regarding the scope of notification due to changes according to the change plan or specific cases in which an application for approval of a partial change of approved items is required. The PMDA shall be consulted as necessary until such notification is made.

2 Method to edit notifications related to changes according to the change plan

(1) Documents to be attached to the notification of change according to the change plan, in addition to those specified in Article 114-45-14, Paragraphs 1 and 2 of the Regulations, should include documents showing that the results of the tests have been obtained as confirmed in the change plan and other documents that can confirm the details of the change according to the change plan. The documents must be prepared on the basis of the information obtained in accordance with Part 3.

(2) When submitting a notification of a change according to the change plan, a copy of the complete notification form shall be attached to the application or notification, and one copy of the following documents shall also be attached so that the latest approved or confirmed items related to the marketing authorization and change plan confirmation items for the product in question are understood. In principle, it is not necessary to include copies of documents other than the latest approved or confirmed items; however, you should be able to submit them promptly if requested by the PMDA.

i. A copy of the change plan confirmation sheet (including change confirmation sheet for confirmation of change plan and minor change notification for confirmation of change plan)
ii. A copy of the marketing approval document (including approval document for partial changes in approved items for marketing and notification of minor changes in approved items for marketing)

3 Handling changes according to the change plan after notification

The number of days until the change can be made according to the change plan is 30 days in accordance with Article 114-45-13 of the Regulations.

Attached Table 1. Items of data to be attached to the application for confirmation of the change plan (related to Article 114-45-2, Paragraph 3, Item 1 of the Regulations)

Attachments	Items in the attachments
(b) Change plan	1. Documents on the background of development 2. Status of use in Japan and overseas 3. Documents related to the change plan 4. Old/New Comparison Table
(c) Documents related to the design and development verification methods	1. Documents related to the protocol for the verification of changes in performance and safety. 2. Other documents related to the design verification protocol 3. Documents on plans related to the implementation system of risk management 4. Documents related to the plan for the implementation of safety measures 5. Documents related to plans for changes to manufacturing processes and sites 6. Documents related to the sterilization change plan 7. Documents related to the clinical study protocol 8. Documents on the clinical evaluation protocol 9. Documents related to the plan of post-marketing surveillance. 10. Documents related to package inserts

Attached Table 2 Items of documents to be attached to the application for confirmation of the change plan (related to Article 114-45-2, Paragraph 3, Item 2 of the Regulations)

Attachments	Items in the attachments
(b) Procedures for the preparation and implementation of the change plan	The following procedures are considered necessary to ensure the quality, efficacy, and safety of artificial intelligence-related technologies. 1. Documents describing the responsibilities and authorities for the preparation and implementation of the change plan (*something like organization chart) 2. Procedures necessary for preparation, review, verification, validation, and implementation of the change plan (*can be partially substituted by procedures related to design and development of QMS) 3. Procedures necessary to confirm that the change indicated in the change plan has been implemented
(c) Other documents necessary for the proper and smooth management of artificial intelligence-related technologies	1. Other documents necessary for the proper and smooth management of artificial intelligence-related technologies Procedures necessary to control the performance of medical devices whose performance is expected to change after marketing