



**SYNTHESIS OF THE REQUIREMENTS FOR THE PROCESS OF EVALUATION AND
REGISTRATION, THEIR APPLICATION IN THE IMPORTED MEDICAL DEVICES**

YEAR 2008

1 - Introduction

The Registration of a Medical Device model is a requirement of obligatory execution for its national commercialization and its use in the Health National System of Cuba (HNS).

The National Control Center for Medical Devices (CCEEM), as Cuban regulative authority, is the one in charge of regulate and execute the processes of Evaluation and Registration of Medical Devices that are introduced in the HNS. With this purpose, enforce the manufacturers to cumpliment pre-market, in the market and post-market requirements.

This document is applicable not only to manufacturers and importers but also to distributors of Medical Device for the Health National System.

2 - LEGAL BASE

The regulations for State Evaluation and Registration of Medical Device, approved by the Ministerial Resolution 110 of June 18 of 1992 stay, among the fundamental things:

- Article 1. The obligatory character of Registration.

- Article 8. The general obligations and procedures wich foreign manufactures of Medical Devices, or their representatives in Cuba, will observe in their relationship with the National Control Center for Medical Devices (CCEEM).

- Article 10 The responsibilities of importers or distributors of Medical Device.

In the complementary Rule to the Regulation approved in August of 1993 (ER-3, Procedure for the Evaluation and Registration of Imported Medical Devices), stay the requeriments for evaluation of a imported Medical Device.

The Ministerial Resolution 58 emitted in 1995, stablish the rates for the diferent Services.

In January of 1998 the Ministerial Resolution No. 165 appears in the Official Gazette, establishing the rules to guarantee the confidence and security for the use of the Medical Devices in the HNS.

3 - ESTABLISHED DEFINITIONS OF THE REGULATION

-Medical Device:

Any equipment, instrument, material or article, including software, whether used alone or in combination, intended by the manufacturer to be used in human body, solely or mainly for:

- Diagnosis, prevention, control treatment or relief of a disease or injury.
- Investigation, substitution or modification of the anatomy or of physiological process.
- Control of conception.

And in which the effect is not achieved by pharmacological, chemical or immunological means or by the metabolism but to whose operation such means may assist.

- Manufacturer definition:

An individual or corporation with overall responsibility for designing, manufacturing, packing and labeling a Medical Device, before marketing or use in the HNS, regardless of whether these operations were performed by said person or corporation or on his behalf by a third party.

- Regarding to these Regulations, importers or distributors of the imported Medical Devices must assume responsibility for the registration of these products.
- Every corporation or person registered shall keep at CCEEM an update list of the devices that he manufactures or distributes.
- Only persons or corporations registered at the center may apply for evaluation and registration of Medical Devices.

- Technical Trial Definition:

A group of tests made following a program to verify the technical characteristics and requirements set forth in the specifications and the documents of the medical device project. It includes the evaluation of:

- Technological and medical operation requirements.
- Safety requirements according to device classification.
- Reliability parameters.
- Parameter changes or failure brought about by climatic, mechanical or other factors related to the storage, transportation or operation environment of the device.
- In case of equipment that performs measurements it must pass the metrology approval by competent authority.

- Preclinical Trials Definition: A group of tests carried out according to the type of Medical device, following a protocol, in order to insure adequate safety for the patient and the operator, before using a product on humans (clinical investigations). It might include.

- Adequate physical and chemical characterization of the device.
- Biomechanical test.
- Experimental identification and quantification of potentially bioavailable compounds in the device.
- Microbiological test.
- Biological Evaluation: Toxicity and Biocompatibility assessment (Local, Systemic and other Biological effects).

These tests are generally done on experimental animals or tissues (in vivo or in vitro tests) and include the biocompatibility and toxicity of design materials and components.

- Clinical trials definition:

A systematic study in subjects undertaken to verify the performance of a specific device under normal conditions of use.

This clinical investigation is carried out in humans following a protocol, with the proposal of determining the efficacy and effectiveness of the device and with the minimum risk for the patient or the operator in compliance with the Helsinki Declaration.

4 - STEPS OF MEDICAL DEVICES EVALUATION AND REGISTRATION

The process of Evaluation and Registration of Medical Devices consists of 2 stages:

- Manufacturer Inscription
- Process of Evaluation and Registration

4.1 Manufacturer Inscription

To begin the process of Evaluation and Registration in the CCEEM the Manufacturer must be registered, for which he should fulfill with what is settled down in the Complementary Rule (CCEEM, ER-2A, 1999.04.15) Application of Inscription of Manufacturers.

General requirements

To formalize Manufacturer's Inscription it is necessary to fulfill and to officially submit the following documents in CCEEM:

. Manufacturer's Inscription Application Form

Manufacturer's inscription is made by the manufacturer or by the legal representative he/she appoints.

Manufacturer's Inscription Application Form will be submitted by the applicant according to the model 28-11. The application form should be dated, signed and sealed by the highest authority of the entity that manufactures the device.

With the application form, manufacturer can submit a letter appointing the Legal Representative before CCEEM or otherwise specify it at the registration form.

In the event that there is a letter appointing the Representative, the registration form can be signed by this representative and not necessarily by the highest authority of the entity.

If the applicant is member of a firm based in Cuba (branch institutions, duty-free zone operators or any modality as such) he/she must hand in written evidence of legalization before the Chamber of Commerce.

The manufacturer of medical devices will inform CCEEM of any change modifying the information contained in the model of registration application form.

. Evidences about Quality Requirements Fulfillment.

Within the Application for Inscription in CCEEM, the Manufacturer should submit evidences about fulfillment of Quality Requirements established in Rule ER-11a, 2007.05.28

In the event that the manufacturer has a Quality Management System certified according with ISO 13485:2003 or equivalent, the manufacturer should submit a copy of such Certification. The scope of the document should comprises the devices declared in Manufacturer's Inscription Application Form and should be updated.

In case his Quality Management System is not certified according ISO 13485:2003, Manufacturer should submit, in concordance with the highest class of risk of the Medical Devices that he manufactures, the following documents:

Class III devices: Copy of an ISO 9001:2000 Certification and a declaration about the fulfillment of the ISO 13485:2003 all the requirements not included in ISO 9001:2000

Class IIb devices: Copy of an ISO 9001:2000 Certification and a declaration about the fulfillment of the ISO 13485:2003 all the requirements not included in ISO 9001:2000, except Design Control requirements.

Class IIa devices: Copy of an ISO 9001:2000 Certification OR a declaration about the fulfillment of the ISO 13485:2003 requirements of points 7; 8; 4.2.1; 4.2.3 and 4.2.4.

Class I devices: Copy of an ISO 9001:2000 Certification OR a declaration about the fulfillment of the ISO 13485:2003 requirements of points 7.5; 8.2.4; 4.2.1; 4.2.3, 4.2.4 and 8.5.1.

The Manufacturer can be visited on discretion of CCEEM, to verify his Quality System.

Results of the inscription process

Once submitted the documentation corresponding to this stage, it will be analyzed in a period of 15 skilled days and the CCEEM will extend to the Manufacturer the Inscription Clearance, when being in conformity with the submitted information.

Validity of the Manufacturer's Inscription

The Manufacturer's Inscription have a 2 year validity, the manufacturer, 45 days before its expiration will request his reinscription in CCEEM.

4.2 PROCESS OF EVALUATION AND REGISTRATION

Once carried out the inscription in the Center, the procedure for the evaluation and registration of Medical Devices will take into account the classification according to the risk level, (class I, IIa, IIb, III) that is established in the Regulation in its article 4. See classification rules in the Regulation. From the point of view of the regulatory requirements for the classification according to the level of risk, the regulations in Cuba adopted the system of rules of classification on the basis of risk of CE, (MEDDEV 10/93 revision 1996), and medical devices are classified into four classes (I, IIa, IIb, and III) in increasing order according to the level of risk, (Regulations, 1992). The classification of a given device is suggested by the manufacturer and CCEEM approves it.

· REGISTRATION REQUEST

The registration of the Medical Devices will be made, according to its risk level, by the presentation of the Application for Registration (Annex 2), the demonstration of the security and efficacy of the Medical Device through valid scientific evidences such as reports of the technical, pre-clinical and clinical trials and the evaluation of the Manufacturer's Quality System.

The manufacturer or his representative should commit himself to have in place their Surveillance System for the Report of Adverse Events in their devices (according to ER-14 of the year 2002), as well as a summary of those already occurred and the actions taken to correct them, and also of models to be introduced in NHS.

In all the cases the documentation will be submitted in Spanish or English, except for User's Manual and the labels that should be submitted in Spanish.

The National Control Center for Medical Device has 60 days to evaluate the Medical Device and to emit a final result.

The manufacturers of Medical Devices of import has 2 possibilities to carry out the registration application

a) Medical Devices registered in their origin country or another country whose regulations are accepted by CCEEM

If the Medical Devices is considered class I or IIa according to its risk level, it is enough to begin its evaluation:

The presentation of the Application for Registration on the part of the entity or person inscribed in the CCEEM accompanied with:

- Certification of the Sanitary Registration in the origin country.
- Certification of an European Notified Body or of recognized Regulative Agencies
- Presentation of the properly legalized representative's power
- Medical and Technical Specifications
- Updated Quality System Certificate.
- Manuals of Service, of users and of operations
- Labels corresponding to the different forms of presentation of the device.
- Written evidence of a Surveillance System for the Report of Adverse Events.

If the Medical Devices is considered as Class IIb or III according to its risk level, to begin its evaluation will be necessary the presentation on the part of the entity or person inscribed in the Center, of the application of Registration accompanied by the same previous documents and also:

- Result of the clinical assays or valid scientific evidence that demonstrate the effectiveness and safety of the device in the medical practice.

b) Medical Devices that don't have the Registration Certificate in their origin country or in another country whose regulations are accepted by CCEEM.

The documental requirements will be based on that settled down in the Regulations and the Rules of CCEEM (Regulations for State Evaluation and Registration of Medical Devices and ER-1A Procedure for the Evaluation and Registration of Medical Devices

1992.07.20), the whole documentation required in this regulations and rules should be submitted.

As an aid to elaborate the documentation to be submitted to CCEEM, the Guide GT-11 of documental orientation was approved for the presentation of the applications of Evaluation and Registration of Medical Devices.

Although it doesn't constitute a requirement of the registration; the manufacturer should guarantee for itself or through third parts the effectiveness and security of the Medical Devices that it introduces in the HNS, assuring an appropriate after-sale service, of which should present evidences in the moment of the extension application and in any other later moment to the commercialization responding to CCEEM request.

The Sanitary Registration is an obligatory and strictly confidential requirement, with a validity time of up to 5 years

• **Application of Extension**

The extension of the Registration is obligatory to continue the production and distribution of a device in the HNS after the date of expiration of the initial Registration.

The documental demands, as they are settle down in the Regulation and the Rules of CCEEM (Regulation for State Evaluation and Registration of Medical Devices and ER-4 Extension of the Registration of an Approved Medical Device 1993.04.15) follows:

- Surveys, verifications and visits made by the manufacturer to check the operation of the Medical Devices
- Percentage of functional readiness of the same ones.
- Operation reports.
- System description for complaints collection in the after-sale.
- Summarie of the register of complaints in the after-sale
- Analysis of failures and actions for their correction.
- Update of the certificate of Quality System
- Incidences of adverse reactions.
- Technical actuality of the Medical Device

- Report of the execution of the recommendations carried out in the evaluation process

5 - FORMS OF PAYMENTS AND EFFECTIVE RATES

To pay the value of the services you should contact us, the manufacturer will extend a Bank transfer or check our count in Havana.

- Manufacturer Inscription: 150,00 CUC (Effective for two years) Renewable with a value of 50.00 CUC

- Application for Registration: (It depends on the classification of risk and the complexity of the technology)

RATES OF PRICES FOR THE SERVICE OF EVALUATION AND REGISTRATION

LEVEL OF RISK	COMPLEXITY	
	LOW (CUC)	HIGH (CUC)
LEVEL I	200.00	400.00
LEVEL II (a,b)	400.00	600.00
LEVEL III	600.00	800.00

- Application for Extension: (It depends on the classification of the risk and the complexity of the technology), being the rates 50% of the value of the registration.

If the manufacturer does not renew the inscription or registration within the terms established, he should present a new registration and pay the corresponding tariff

For further information, please communicate with the National Control Center of Medical Device (CCEEM): Address: 4 Street, No. 455 between 19 and 21, Vedado, Havana City. Telephone (537) 832 5072, (537) 832 7217, 8353890.

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Director: Engineer Dulce María Martínez Pereira

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Mod.28-08		Dossier:
Ministry of Public Health National Control Center for Medical Device	Application for Inscription	
Name of manufacturer:		
Legal Address:		
Telephone:	E-mail:	
Classes of devices: _____		
Does manufacture implantable devices: Yes <input type="checkbox"/> No <input type="checkbox"/>		
If the answer is positive, you should attach:		
<ul style="list-style-type: none"> - Factory or Enterprise Description, including equipment and environmental Control Methods - Quality Assurance System. - Materials Biocompatibility 		
It represents: (6)		
Name:		
Address		
Telephone:	E-mail:	
Representative in Cuba: (7)		
Name:		
Address		
Telephone:	E-mail:	
Importer: (8)		
Name:		
Address		
Telephone:	E-mail:	
Distributor in Cuba: (9)		
Name:		
Address		
Telephone:	E-mail:	
Persons authorized to sign on the Manufacturer's are half:		
Name:	Function.	Signs:
Name:	Function.	Signs:
Maximum responsible for the institution applicant (11)		Date:
Name:	Signs	

Mod.28-08 Ministry of Public Health National Control Center for Medical Device	Application for Registration	Dossier:	
Name of device: (2)			
Model: (3)			
Name of Manufacturer: (4)			
Address of Manufacturer: (5)			
Data on distributor if different from that of the manufacturer: (6)			
Name:		Address:	
The device requires drugs: (7) Yes <input type="checkbox"/> No <input type="checkbox"/>			
Name:		CECMED Registration Number	
Branch of medicine where it is to be mainly used: (8)			

Sterile equipment: (9) Yes <input type="checkbox"/> No <input type="checkbox"/>			
Type and method of sterilization used :			
Is this equipment considered similar to others used by the National Health System: (10)			
Yes <input type="checkbox"/> No <input type="checkbox"/> If the answer is yes, indicate wich:			

Classification proposed according to risk level base on Rule No. _____ of Annex 2 the Regulations (11)			
Class I <input type="checkbox"/> Class IIa <input type="checkbox"/> Class IIb <input type="checkbox"/> Class III <input type="checkbox"/>			
The attached documents contain, as required:			
(1) Report on trials and evaluations. (2) Protocol of pre-clinical trials.			
(3) Technical: and medical specifications (This documentation is detail on the back)			
Application presented by: (12)			
Name:		Post:	Signature:
Manufacturer is to have the modified device according to the technical, pre-clinical and clinical trials. Industrial production is to be possible.		Date: (13)	
		Day	Month
		Year	