

IRB Guidance on Use of Drawings for Prizes as an Incentive for Participation in Research

The State of Georgia closely regulates the operation of lotteries, raffles, and other games of chance (collectively, “raffles” for purposes of this guidance). In Georgia, a raffle is defined as “any scheme or procedure whereby one or more prizes are distributed by chance among persons who have paid or *promised consideration* for a chance to win such prize” (O.C.G.A. § 16-12-22.1[b][3]). This definition is very broad and includes any procedure in which a prize is given away, as long as the participant is required to provide something of value (i.e., “consideration”) in exchange for the chance to win. Consideration can be the purchase of a raffle ticket or *the giving of an individual’s time to participate in a research study*. It is a misdemeanor of a high and aggravated nature, and in some instances a felony, to conduct a raffle (or aid in the operation of a raffle) without a license issued by a county sheriff in Georgia.

However, *raffles may be conducted if persons are allowed to participate in the raffle without being required to provide any consideration*. For example, in the research context, any person should be able to participate in the raffle, even those persons who are not participating in the research study itself, in order for the raffle to satisfy state laws. Accordingly, when a raffle may be conducive to a research study, the VSU IRB will review and approve the raffle procedures as part of the protocol review and approval process. The IRB will consult with VSU Legal Counsel regarding the legality of any planned raffle. Note that, because of the requirements of Georgia law, confidentiality of raffle winners cannot be promised.

If a researcher wishes to utilize a raffle as a means to encourage participation in research, he/she must adhere to the following provisions and explain the raffle procedures in the IRB application and, as applicable, in the “Procedures” section of the informed consent document(s):

- The research may not include activities that are more than minimal risk (i.e., the protocol must be reviewed in the “exempt” or “expedited review” categories);
- **The raffle must be open to all individuals, whether they participate in the research or not.** The researcher must provide the IRB with a comprehensive plan for how the public will learn of the research study, how the public may participate in the raffle, how the prize will be selected (i.e., date and time of the drawing, person who will conduct the drawing, etc.), how the recipient will be notified, how persons involved in the raffle may ultimately discover who received a prize, and other relevant information pertaining to the raffle;
- **All persons who elect to participate in the raffle must have the same chance of winning the prize(s). The researcher must include statements that entry into the raffle is not contingent on participation in the research and that a person may remain eligible for the raffle even if he/she withdraws from a study or does not complete every question;**
- Any raffle should only be open to those eighteen (18) years of age and older and who reside within the United States;
- The raffle must be conducted in a manner that does not compromise participant anonymity or confidentiality that is protected by other protocol methodology;
- The researcher must provide the IRB with information concerning the amounts and number of prizes involved in the raffle. Both the amounts and number of prizes must not be coercive or exert an undue influence on participants, and the disparity between subjects should be considered (i.e., it is preferable to have several lower value prizes than one higher prize because the disparity between subjects is reduced);
- The researcher, any co-researchers or research assistants named in the protocol, immediate family members (spouse, parents, siblings, and children) of such persons, and any other persons with a direct interest in the research study must be excluded from participation in the raffle; and
- The researcher must maintain records regarding the raffle along with other research-related documents.