Houston, that National Institutes of Health (NIH) Grant is in Trouble

Solving Unique Grant Situations

Rebecca D. Claycamp, CRA, National Institute of Mental Health, NIH
Deanna L. Ingersoll, National Human Genome Research Institute, NIH
Thinking Like a Fed

• Consider NIH perspective when considering challenging or complex situations
• First, remember NIH is a Federal agency
  • Supports Federal policy (must enforce applicable laws, cost principles and administrative requirements)
• Supports President's initiatives and policies
NIH Perspectives When Considering Challenging, Complex Situations

Factors NIH Institutes and Centers (IC’s) consider:

• Do we really understand all the issues and objectives of the situation (have we listened and asked enough questions)?

• What is best from a scientific or programmatic perspective (how will this impact the scope of the project)?

• Is the action consistent with NIH, HHS or other Federal policy?
NIH Perspectives When Considering Challenging, Complex Situations

• Will the action create issues for protection of human subjects?
• What best serves the investment of the taxpayer in the project?
• How would this play if presented on the evening news or the front page of ...?
NIH Perspectives – Secondary Considerations

• What is in the best interests of the institution?
• What is in the best interest of the PI?
• Is there an opportunity for a “win/win”? 

*Remember consultants, consortiums, subcontractors are not a direct party to the grant with the NIH.*
Essential Documents

• The awarded application and the FOA it was submitted to.
• Complete copies of all of the Notices of Award.
• The NIH Grants Policy Statement (NIH GPS)
Most Problems Start Out Small…

Only when unaddressed and/or left unchecked can they grow into ugly monsters.
Three Blind Mice (or Is That Rats?):
Purely Hypothetical Situation #1

• A PI’s awarded grant involves the use of mice.
• His progress report describes an experiment using rats.

What issues—if any—does this raise?
Robbing Peter to Pay Paul: Purely Hypothetical Situation #2

• A PI has multiple NIH grants from one IC, all involving work with mice.
• One of the grants has not yet been competitively renewed.
• A small portion of the colony needs to be maintained, so the PI charges the animal care costs to one of her other NIH grants?

_________________

Does this present any issues?
It’s Broken
Purely Hypothetical Situation #3

• The PI’s piece of instrumentation, essential for the NIH-grant, has “blown up.” She wants to put the costs for the replacement on the NIH grant.

Is this allowable?
What needs to be considered?
Don’t You Wish PI’s Didn’t Move: Purely Hypothetical Situation #4

The newly transferred PI walks into your office wanting to prepare a transfer (change of institution) application. There is just one catch: the start date for budget period was last month.

What do you do (besides scream)?
Three Days Worth of Money??: Purely Hypothetical Situation #5

You are the administrator for an NIH grant awarded to your non-U.S. institution. The grants specialist contacts the PI (who in turn gets you involved) questioning the fact that your institution has drawn down all the funds for the first year when, in fact, recruitment hasn’t started yet.

_________________
What has happened?
What next steps are involved?
We Have a Hostage Situation: Purely Hypothetical Situation #6

- The PI wants 2\textsuperscript{nd} No Cost Extension (NCE) because the subawardee at a U.S. Federal lab needs to complete their part of the research.
- The subaward agreement required the awardee to pay the Federal lab in advance for all research costs, per the Federal lab’s standard operating procedures.
- The Federal lab sub-awardee refuses to complete the work unless NIH processes a 2\textsuperscript{nd} NCE on the grant.
- You check and confirm that the grant funds are totally spent.

What issues are involved?

What should the institution do?
It Was a Dark and Stormy Night: Purely Hypothetical Situation #7

The PI leaves in the middle of the night and takes data and critical parts of the research team along with critical equipment with him. He wants to re-establish the project at a new institution.

What would an NIH official do? What are some options?
• The PI has developed an extremely valuable scientific resource on an NIH grant, but won't share with other investigators.
• He and his team has published extensively on the resource, but continue to deny reasonable requests for sharing.
• Duplicating this resource, while not cost prohibitive, is not reasonable because the cost of duplicating is several times the “reasonable” cost of sharing the resource.

What should the institution do?
What could an NIH official do?
You Have Been Voted Off The Island!
Purely Hypothetical Situation #7

• A multi-PI project has been a productive team for years. One of the PI’s moves in the -07 year, and a large consortium award is issued to continue the collaboration.

• In the -08 year, significant scientific, budgetary, (and personal?) differences arise. The PI’s have a falling out and the consortium PI is voted out of the project.

• The consortium PI is notified of the decision by email and is told no consortium costs will be covered as of the date of the email.

• The consortium PI contacts NIH, hinting at possible budget mismanagement and scientific misconduct, and demanding NIH hold the prime grantee to the terms of the peer reviewed Leadership plan.

What issues and options are involved?
Catch Me If You Can: Purely Hypothetical Situation #8

• Dr. Johns works with her departmental administrator to set up payments for participant incentives and travel reimbursements on one of her grants.

• When the materials are ready for approval, the administrator asks Dr. Johns’ project manager (in the PI’s absence) to preview the payment materials, so that Dr. Johns could sign-off upon her return.

• The project manager points out that one participant for which payments are being made has not been part of the grant in question; in fact, no one by that name has been a participant in any of Dr. Johns’ five grants.

• The administrator checks records and finds that this participant has received two prior payments.

What issues are at play? What checks are needed? Who needs to be involved?
Early Communication Between Department and Grants Office is Essential

• Many solutions are organizationally-, culture-driven. For example, if good communication is part of the culture, then it is more likely to support good management practices, such as work groups across departmental boundaries.

• Current, written, and accessible policies and procedures are a must.

• All parties involved must know and understand and comply with the rules, policies guidelines.

• Don’t avoid contacting the IC or NIH, as appropriate
Resources…. 

• Your Institution 
  • Department Chairman/Dean or Division Head 
  • Sponsored Research/VP for Research 
  • Financial Management/Internal Audit 
  • IRB/IACUC 

• NIH 
  • Grants Management Specialist/Chief Grants Management Officer 
  • Grant Program Administrator 
  • grantspolicy@nih.gov 
  • grantscomplaince@nih.gov 
Resources for Compliance

Tips, methods, what to do? So many resources, only a select few are named here.

• NIH Grants Compliance and Oversight – website has compendium of observations, and presentations
  http://grants.nih.gov/grants/compliance/compliance.htm

• NIH Grants Compliance Inbox
  grantscompliance@mail.nih.gov

• NIH Outreach Activities
  http://grants.nih.gov/grants/outreach.htm
Questions???

Rebecca D. Claycamp
Chief Grants Management Officer
National Institute of Mental Health (NIMH), NIH, USA
Rebecca.Claycamp@nih.gov

Deanna L. Ingersoll
Chief Grants Management Officer
National Human Genome Research Institute (NHGRI), NIH, USA
Deanna.Ingersoll@nih.gov