

Report on Research Compliance Volume 18, Number 10. September 23, 2021

RRC E-Alerts: September 2, 2021

By Theresa Defino

In Second Settlement, Van Andel Research Institute Pays \$1.1M Over False Claims Act Allegations

The Department of Justice (DOJ) on Sept. 1 announced that the Van Andel Research Institute (VARI) had agreed to pay \$1.1 million to settle False Claims Act (FCA) allegations stemming from “failing to disclose foreign research support for two VARI researchers who served as principal investigators on NIH awards.” This is VARI’s second such FCA settlement in two years. In addition to the payment, “NIH imposed Specific Award Conditions on all of VARI’s NIH grants, including by requiring personal, executive-level certifications to the accuracy of NIH submissions, withdrawing certain of VARI’s expanded grant authorities, and removing all of VARI’s NIH grants from the Streamlined Non-Competing Award Process,” DOJ announced.

As DOJ noted, in “December 2019, VARI paid \$5.5 million to resolve allegations that it violated the False Claims Act by submitting grant applications and progress reports to NIH in which VARI failed to disclose Other Support, including Chinese government grants that funded two VARI researchers.” About a month later, a former VARI researcher who was a current professor at the Harbin Institute of Technology in China was stopped at the airport in Detroit and found to have “undeclared biological research samples in his luggage...intended for the laboratory of a professor at VARI.” The government also alleged other actions involving this researcher and others and said VARI failed to disclose that certain research had a foreign component, that research materials from China were being brought in, and that a VARI professor accepted an invitation to join a foreign recruitment program. “Approximately one-third of the settlement funds will be returned to NIH, with the remainder going to the United States Treasury,” DOJ said. New administrative oversight of VARI’s NIH awards is effective until Sept. 20, 2022, “or until NIH assesses and accepts VARI’s completed Corrective Action Plan and summary report.”

[Link to DOJ announcement](#)

This document is only available to subscribers. Please log in or purchase access.

[Purchase Login](#)