

Report on Research Compliance Volume 19, Number 9. August 25, 2022 In This Month's E-News: September 2022

By Theresa Defino

♦ According to the HHS Office of Research Integrity (ORI), Janina Jiang, M.D., Ph.D., a former assistant researcher in the University of California, Los Angeles (UCLA), Department of Pathology & Laboratory Medicine, agreed to a three-year supervisory plan for committing research misconduct in three funded and eight unfunded NIH awards. Jiang "knowingly and recklessly falsif[ied] and/or fabricate[d] flow cytometry data" in the awards, ORI said. The announcement does not mention any publications resulting from the research that need to be retracted. Retraction Watch reported the three awards totaled \$58.7 million, with the "vast majority" used to fund the UCLA Clinical and Translational Science Institute. "The extent of Jiang's part in that application and the extent to which they led to the success of the grant is unclear, but it seems likely they were a minor contribution," Retraction Watch reported.

For three years, beginning July 22, Jiang must follow a plan for supervision prior to submitting any funding application to Public Health Service (PHS) agencies; the plan "must be designed to ensure the integrity" of her research, and include a "committee of two senior faculty members at the institution who are familiar with [Jiang's] field of research." Additionally, her primary data must be submitted to ORI on a quarterly basis, and, at six-month intervals, she must submit information about "committee meeting dates and [Jiang's] compliance with appropriate research standards and confirming the integrity of [her] research." The committee also must review any funding application before submission and submit a certification to ORI that any data she provides "are based on actual experiments or are otherwise legitimately derived and that the data, procedures, and methodology are accurately reported and not plagiarized in the application, report, manuscript, or abstract." During the three years, she also will not serve as an advisor or consultant to any PHS agency. (8/18/2022)

♦ An audit of 45 transactions totaling \$1,197,627 in costs claimed by North Carolina Central University (NCCU) for nine National Science Foundation (NSF) awards as of Sept. 2, 2021, found \$60,320 of unallowable expenditures. "Specifically, the auditors found \$24,029 in unallowable expenses, \$22,748 of inappropriately allocated expenses, and \$13,543 of inadequately supported expenses," according to the Aug. 12 report from the NSF Office of Inspector General (OIG). The transactions were chosen from a universe of \$14.8 million in claimed costs for 45 awards.

Among the unallowable expenses were \$13,909 in participant support costs, including \$888 for baseball tickets, \$3,736 for unbudgeted compensation paid to a graduate student, and \$4,847 for an unbudgeted software license renewal. The \$22,748 included "insurance, airfare, consultant, and materials and supplies expenses to three NSF awards," auditors said. They "also identified three compliance-related findings for which there were no questioned costs: non-compliance with NCCU policies, non-compliance with federal requirements for pass-through entities, and insufficient controls related to the application of indirect cost rates." The unsupported costs included 50 gift cards for students that auditors said lacked documentation for who received them and when. "The auditors included six findings in the report with associated recommendations for NCCU to provide supporting documentation that it has repaid the questioned costs and to ensure NCCU strengthens administrative and management controls." NCCU agreed to repayment and implement auditors' recommendations. Regarding the baseball tickets, NCCU said they "had a programmatic purpose and it had

authority to transfer funds from one budget category to another; however, it did not receive prior written approval for this type of expense," auditors said. (8/18/2022)
This document is only available to subscribers. Please log in or purchase access.
<u>Purchase Login</u>
Copyright © 2024 by Society of Corporate Compliance and Ethics (SCCE) & Health Care Compliance Association (HCCA). No claim to original US