



DEPARTMENT OF HEALTH & HUMAN SERVICES

PUBLIC HEALTH SERVICE
NATIONAL INSTITUTES OF HEALTH

FOR US POSTAL SERVICE DELIVERY:

Office of Laboratory Animal Welfare
6700B Rockledge Drive, Suite 2500, MSC 6910
Bethesda, Maryland 20892-6910
Home Page: <http://grants.nih.gov/grants/olaw/olaw.htm>

FOR EXPRESS MAIL:

Office of Laboratory Animal Welfare
6700B Rockledge Drive, Suite 2500
Bethesda, Maryland 20817
Telephone: (301) 496-7163
Facsimile: (301) 402-7065

November 26, 2019

Re: Animal Welfare Assurance
A3774-01 [OLAW Case A]

Brad R. Woods, Ph.D.
Executive Director, Office of Research Integrity
University of Nevada – Las Vegas
4505 South Maryland Parkway-Box451047
Las Vegas, Nevada 89154

Dear Dr. Woods,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your November 7, 2019 letter responding to OLAW concerns regarding an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at the University of Nevada-Las Vegas.

According to the information provided, OLAW understands that the University has purchased and installed an alarm system to monitor critical tank parameters. The system will alarm and notify personnel if there are temperature excursions from predetermined settings. Further clarification was provided that failure of a filter would impact one tank as tanks are isolated and each is self-contained with its own external canister filter and heater. The malfunctioning filter appeared to have a defective motor upon evaluation and was discarded.

OLAW appreciates the prompt consideration of this matter by the University of Las Vegas-Nevada which is consistent with the philosophy of institutional self-regulation. Based on the information provided, OLAW is satisfied that appropriate actions have been taken to investigate this incident to prevent recurrence and commends the institution for taking swift action. Although this activity was not PHS funded, the application of the standards of the PHS Policy across the animal care and use program reduces any potential appearance of a double standard. We appreciate being informed of this matter and find no cause for further action by this office.

Sincerely,

(b) (6)

Nicole Lukovsky-Akhsanov, DVM, MPH, DACLAM
Division of Compliance Oversight
Office of Laboratory Animal Welfare

cc: IACUC Contact

UNLV | Office of RESEARCH INTEGRITY

November 7, 2019

Nicole Lukovsky-Akhsanov, DVM, MPH, DACLAM
Veterinary Medical Officer, Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health
Rockledge 1, Suite 360
6705 Rockledge Drive
Bethesda, MD 20892

Dear Dr. Lukovsky-Adhsanov:

Per your correspondence dated October 17, 2019, and in accordance with Assurance A3774-01 and PHS Policy IV.F.3, I am writing to respond to your request for additional information.

As a reminder, on the morning of Wednesday, August 21, 2019, staff discovered deceased fish in one of our tanks. Upon further inspection, it was deemed the result of a tank filter that malfunctioned, resulting in an elevation of tank water temperature.

Based on your letter, the University has purchased and installed an alarm system that monitors critical parameters, such as tank(s) temperature. This system is set to alarm and notify personnel if temperature values deviate from predetermined settings/values. Beyond this, our tanks are isolated, meaning each tank is self-contained with its own external canister filter and heater. Each filter is appropriately sized for the individual aquarium to ensure appropriate water flow rate. A failure of a filter would be expected to have little impact on temperature in that one does not expect an external canister filter that is touching the outside of the tank to be able to heat the 10 gallon aquarium (this is the only time we've ever seen a filter do as much). The malfunctioning filter was inspected and appeared to have malfunctioned due to a defective motor. The filter was then discarded.

Thank you for your review and attention to this matter.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

(b) (6)

Brad R. Woods, Ph.D.
Executive Director, ORI
Institutional Official



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6700B Rockledge Drive, Suite 2500
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Telephone: (301) 496-7163
Facsimile: (301) 402-7065

October 17, 2019

Re: Animal Welfare Assurance
A3774-01 [OLAW Case A]

Brad R. Woods, Ph.D.
Executive Director, Office of Research Integrity
University of Nevada – Las Vegas
4505 South Maryland Parkway-Box451047
Las Vegas, Nevada 89154

Dear Dr. Woods,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your October 3rd, 2019 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at the University of Nevada, Las Vegas as a follow-up to the preliminary report submitted August 22nd, 2019. According to the information provided, OLAW understands that on the morning of August 21st, 2019, eight fish were discovered to be deceased due to a tank filter malfunction resulting in tank temperature elevation. All surviving fish were transferred to another unaffected tank. The IACUC was made aware of the adverse event and no further plans for resolution are anticipated. Additionally, this study was not supported by NIH funding.

Based on the information provided, OLAW is requesting further information regarding the institution's monitoring process of critical parameters such as temperature, water flow rate and other environmental conditions. Is the system set-up to alarm and notify personnel if set points and normative values are out of range? What considerations are in place to prevent this recurrence in the future? Is the current monitoring system in place for the affected tank the same across the fish facility/laboratory? Has the reason for filter malfunction been investigated and corrected?

OLAW appreciates the prompt consideration of this matter by the University of Nevada, Las Vegas which is consistent with the philosophy of institutional self-regulation. We appreciate being informed of this matter and look forward to your responses to the additional information request by **November 8th, 2019**. As always, do not hesitate to contact us with any questions or concerns.

Sincerely,

 (b) (6)

Nicole Lukovsky-Akhsanov, DVM, MPH, DACLAM
Division of Compliance Oversight
Office of Laboratory Animal Welfare

cc: IACUC Contact

UNLV | Office of RESEARCH INTEGRITY

October 3, 2019

Brent Morse, DVM
Director, Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health
Rockledge 1, Suite 360
6705 Rockledge Drive
Bethesda, MD 20892

Dear Dr. Morse:

In accordance with Assurance A3774-01 and PHS Policy IV.F.3, I am writing to you to submit a final report related to a UNLV IACUC approved protocol.

As a reminder, on the morning of Wednesday, August 21, 2019, staff discovered deceased fish in one of our tanks. Upon further inspection, it was deemed the result of a tank filter that malfunctioned, resulting in an elevation of tank water temperature. Upon discovery, the filter was immediately unplugged and the surviving fish (species *Cyprinodon nevadensis mionectes*) were transferred to another suitable tank. In total, 8 fish succumbed to the elevated temperature. This information was initially submitted to you via a preliminary report dated August 22, 2019.

There is no external funding associated with this study.

During the next convened meeting, the UNLV IACUC was made aware of this adverse event and due to the isolated filter mechanical malfunction, which was a non-systemic, unforeseeable, and unpreventable failure, no further plans for corrective or preventive measures were deemed necessary.

Thank you for your review of this final report.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

(b) (6)

Brad R. Woods, Ph.D.
Executive Director, ORI
Institutional Official

Wolff, Axel (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Thursday, October 3, 2019 1:50 PM
To: Brad Woods
Cc: OLAW Division of Compliance Oversight (NIH/OD)
Subject: RE: Preliminary Report

Thank you for this report, Dr. Woods. Dr. Morse will send a response shortly.

Axel Wolff, M.S., D.V.M.
Deputy Director, OLAW

From: Brad Woods <brad.woods@unlv.edu>
Sent: Thursday, October 3, 2019 1:44 PM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Cc: [REDACTED] (b) (6)

[REDACTED] (b) (6)

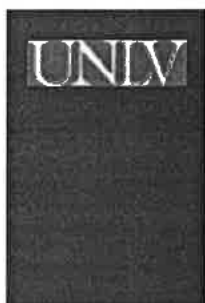
Subject: RE: Preliminary Report

Dear Dr. Morse:

Attached is our final report for the below mentioned event.

Thank you for your attention and please let me know if you have any questions or concerns.

Best regards,



Brad R. Woods, Ph.D.
Executive Director and Research Integrity Officer
Office of Research Integrity
University of Nevada, Las Vegas

brad.woods@unlv.edu
Office: [REDACTED] (b) (6)

Web

From: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Sent: Thursday, August 22, 2019 11:01 AM
To: Brad Woods <brad.woods@unlv.edu>; OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Cc: [REDACTED] (b) (6)

Subject: RE: Preliminary Report

Thank you for submitting this preliminary report Dr. Woods. We will open a case file and await the final report as noted in your letter.

Best regards, Brent Morse

Brent C. Morse, DVM, DACLAM
Director
Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health

Please note that this message and any of its attachments are intended for the named recipient(s) only and may contain confidential, protected or privileged information that should not be distributed to unauthorized individuals. If you have received this message in error, please contact the sender.

From: Brad Woods [mailto:brad.woods@unlv.edu]

Sent: Thursday, August 22, 2019 1:40 PM

To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>

Cc: [REDACTED] (b) (6)

(b) (6)

Subject: Preliminary Report

To whom it may concern:

Please find the attached preliminary report related to an isolated adverse event.

Please contact me with any questions or concerns.

Sincerely,



Brad R. Woods, Ph.D.

Executive Director and Research Integrity Officer;
Institutional and Empowered Official;
Chair, Research Advisory Committee on Cannabis & Hemp
Office of Research Integrity
University of Nevada, Las Vegas

brad.woods@unlv.edu

Office: [REDACTED] (b) (6)

Web

UNLV | Office of RESEARCH INTEGRITY

August 22, 2019

Brent Morse, DVM
Director, Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health
Rockledge 1, Suite 360
6705 Rockledge Drive
Bethesda, MD 20892

Dear Dr. Morse:

In accordance with Assurance A3774-01 and PHS Policy IV.F.3, I am writing to you to submit a preliminary report related to a UNLV IACUC approved protocol. On the morning of Wednesday, August 21, 2019, staff discovered deceased fish in one of our tanks. Upon further inspection, it was deemed the result of a tank filter that malfunctioned, resulting in an elevation of tank water temperature. Upon discovery, the filter was immediately unplugged and the surviving fish (species *Cyprinodon nevadensis mionectes*) were transferred to another suitable tank. In total, 8 fish succumbed to the elevated temperature.

There is no external funding associated with this study.

Given the filter malfunction was a result of an isolated, non-systemic unforeseeable and unpreventable mechanical failure, no further plans for correction/prevention are necessary at this time.

Thank you for your review of this report. I anticipate the final report will be sent to you within 60 calendar days.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

(b) (6)

Brad R. Woods, Ph.D.
Executive Director, ORI
Institutional Official

Morse, Brent (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Thursday, August 22, 2019 2:01 PM
To: Brad Woods; OLAW Division of Compliance Oversight (NIH/OD)
Cc: [REDACTED] (b) (6)
Subject: RE: Preliminary Report

Thank you for submitting this preliminary report Dr. Woods. We will open a case file and await the final report as noted in your letter.

Best regards, Brent Morse

Brent C. Morse, DVM, DACLAM
Director
Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health

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From: Brad Woods [mailto:brad.woods@unlv.edu]
Sent: Thursday, August 22, 2019 1:40 PM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Cc: [REDACTED] (b) (6)
Subject: Preliminary Report

To whom it may concern:

Please find the attached preliminary report related to an isolated adverse event.

Please contact me with any questions or concerns.

Sincerely,



Brad R. Woods, Ph.D.
Executive Director and Research Integrity Officer;
Institutional and Empowered Official;
Chair, Research Advisory Committee on Cannabis & Hemp
Office of Research Integrity
University of Nevada, Las Vegas

brad.woods@unlv.edu
Office: [REDACTED] (b) (6)

Web