



DEPARTMENT OF HEALTH & HUMAN SERVICES

PUBLIC HEALTH SERVICE  
NATIONAL INSTITUTES OF HEALTH

FOR US POSTAL SERVICE DELIVERY:

Office of Laboratory Animal Welfare  
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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  
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June 22, 2022

Re: Animal Welfare Assurance  
A3306-01 [OLAW Case 3J]

Dr. Terence Flotte  
Dean, Provost and Executive Deputy Chancellor  
University of Massachusetts Medical School  
55 Lake Avenue North  
Worcester, MA 01655

Dear Dr. Flotte,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your June 1, 2022, letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at University of Massachusetts Chan Medical School. This report was preceded by a preliminary report made on April 6, 2022. According to the information provided, OLAW understands that one semiannual report to the Institutional Official (IO) submitted on October 27, 2021, omitted a departure from the Guide for the Care and Use of Laboratory Animals (The Guide) in reference to housing animals outside of temperature ranges appropriate for the species. All departures involving temperature ranges were scientifically justified and approved by the IACUC in each protocol. Prior and subsequent reports to the IO included this departure information. There were no resulting impacts to animal health or wellbeing. The studies impacted were PHS funded.

As a corrective measure, the UMass Chan IACUC reviewed updated materials found on the OLAW website regarding departures from The Guide and will ensure all future reports to the IO will contain descriptions of departures.

OLAW appreciates the prompt consideration of this matter at the University of Massachusetts Chan Medical School, which is consistent with the philosophy of institutional self-regulation. Based on the information provided, OLAW is satisfied that appropriate steps have been taken to investigate this incident and to attempt to prevent recurrence. We appreciate being informed of this matter and please contact us with any further questions or concerns.

Sincerely,

Nicole L. Lukovsky- Digitally signed by Nicole  
akhsanov -S L. Lukovsky-akhsanov -S

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

cc: IACUC contact

A3306-



Institutional Animal Care and Use Committee (IACUC)  
Office of Research  
University of Massachusetts Chan Medical School  
55 Lake Avenue North  
Worcester, MA 01655-0002

6/1/2022

Division of Compliance Oversight  
Office of Laboratory Animal Welfare  
National Institutes of Health  
6700B Rockledge Drive, Suite 2500  
Bethesda, MD 20892

Dear Members of the Division of Compliance Oversight,

University of Massachusetts Chan Medical School, in accordance with Assurance D16-00196 (A3306-01), provides this final report of noncompliance with the PHS policy, section IV.B.3.c. A preliminary report was made by phone to Nicole Lukovsky in March 2022. Specifically, one semiannual report to the Institutional Official, submitted on October 27, 2021, did not include a departure from the Guide for the Care and Use of Laboratory Animals for housing animals outside of temperature ranges appropriate for the species. All departures from the Guide involving such temperature ranges were scientifically justified and reviewed and approved by the IACUC in each protocol. Prior and subsequent reports to the Institutional Official included this departure.

To address the situation, the UMass Chan IACUC closely reviewed the updated materials found the Office of Laboratory of Animal Welfare website regarding departures from the Guide and will ensure all reports to the Institutional Official contain descriptions of departures.

While there was no resulting impact on animal health or well-being, the following NIH grants supported research activities involving the departure from the Guide omitted from the report to the IO.

- R01-DK094004, R01-DK115918, R01 DK089101, R01 DK123028, R01 DK116056

Please contact me with questions or concerns.

Sincerely,

(b) (6)

Terence Flotte, M.D.  
Institutional Official  
Dean, Provost and Executive Deputy Chancellor  
University of Massachusetts Chan Medical School

**McCoy, Devora (NIH/OD) [E]**

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**From:** OLAW Division of Compliance Oversight (NIH/OD)  
**Sent:** Friday, June 3, 2022 7:38 AM  
**To:** (b) (6)  
**Cc:** OLAW Division of Compliance Oversight (NIH/OD)  
**Subject:** RE: OLAW Report-University of Massachusetts Chan Medical School D16-00196 (A3306-01)

Thank you for this report. We will send a response shortly.

Best,

Devora McCoy, BS, MBA  
Program Analyst  
Division of Compliance Oversight  
Office of Laboratory Animal Welfare  
National Institutes of Health  
301-435-2390

**From:** (b) (6)  
**Sent:** Wednesday, June 1, 2022 4:53 PM  
**To:** OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>  
**Subject:** [EXTERNAL] OLAW Report-University of Massachusetts Chan Medical School D16-00196 (A3306-01)

To the OLAW Division of Compliance Oversight,

On behalf of the University of Massachusetts Chan Medical School Institutional Official, Dean Flotte, I am submitting a final report of noncompliance for your consideration. Please be aware that a preliminary report was made to Nicole Lukovsky in March, 2022.

Please contact me with questions or concerns. We appreciate your guidance on these matters.

Thank you,

(b) (6)

**Wolff, Axel (NIH/OD) [E]**

A3306-3J

**From:** OLAW Division of Compliance Oversight (NIH/OD)  
**Sent:** Friday, April 8, 2022 7:17 AM  
**To:** Lukovsky-Akhsanov, Nicole (NIH/OD) [E]  
**Cc:** OLAW Division of Compliance Oversight (NIH/OD)  
**Subject:** RE: Preliminary Report: UMass Chan Medical School D16-00196

Thank you for this preliminary report, Nicole. DCO will start a new case file.

Axel Wolff

**From:** Lukovsky-Akhsanov, Nicole (NIH/OD) [E] <nicole.lukovsky@nih.gov>  
**Sent:** Thursday, April 7, 2022 12:14 PM  
**To:** OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>  
**Subject:** Preliminary Report: UMass Chan Medical School D16-00196

Good day DCO,

Please see below preliminary report from UMass Chan Medical School D16-00196, reported by (b) (6) on 4/6/2022

The organization has an IACUC approved departure for acute and prolonged cold exposure studies. The most Semi-Annual Report to the IO included this departure however the Semi-Annual Report to the IO prior to the most recent report did not include this departure (even though it was IACUC approved) formally stated in the report due to the IACUC interpretation of the term departure. The studies with the departure were also likely PHS funded however unconfirmed at this time.

Given that reporting departures on the semi-annual report is a must and explicated stated in PHS policy, the organization was directed to complete a self-report of the non-compliance and plans on filing a final report shortly.

Please let me know if you have any additional questions.  
Thank you

-Nicole

Nicole Lukovsky-Akhsanov, DVM, MPH, DACLAM  
Senior Animal Welfare Program Specialist  
Division of Assurances  
Office of Laboratory Animal Welfare, NIH  
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