



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) 480-3387

April 27, 2022

Re: Animal Welfare Assurance  
A3472-01 [OLAW Case 6G]

Dr. David Russell  
Vice President and Dean of Basic Research  
University of Texas Southwestern Medical Center  
5323 Harry Hines Boulevard  
Dallas, TX 75390-9002

Dear Dr. Russell,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your April 22, 2022 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals within the animal care and use program at the University of Texas – Southwestern Medical Center. Your letter supplements the information in the preliminary telephone report to our office on February 2, 2022. According to the information supplied, OLAW understands that on January 28, 2022, it was determined that a research lab had been performing surgeries on zebra finches using an *unapproved* route of lidocaine administration. Additionally, another *approved* analgesic that was administered was expired. This activity is PHS-funded.

Corrective and preventive measures: the PI was counseled and discontinued performing surgeries until new analgesics could be obtained. An amendment to update the route of lidocaine administration was approved. A post-approval monitoring (PAM) visit was conducted, and it was determined that all compliance concerns have been resolved.

The prompt consideration of this matter by the University of Texas – Southwestern Medical Center was consistent with the philosophy of institutional self-regulation and self-correction. We appreciate being informed of this matter and find no cause for further action by this office.

Sincerely,

**Brent C. Morse**

S

Brent C. Morse, DVM

Director

Division of Compliance Oversight

Office of Laboratory Animal Welfare

Digitally signed by Brent C.  
Morse -S  
Date: 2022.04.27 11:31:15  
-04'00'

cc: IACUC contact



April 22, 2022

Brent Morse, DVM  
Director, Division of Compliance Oversight  
Office of Laboratory Animal Welfare  
National Institutes of Health  
6700B Rockledge Drive, Suite 2500, MSC 6910  
Bethesda, MD 20892

RE: UT Southwestern Medical Center Animal Welfare Assurance Statement # D16-00296  
Grants: UF1-NS115821 and R01-NS108424.

Dear Dr. Morse,

I write to provide a final report of non-compliance with the *PHS Policy on Humane Care and Use of Laboratory Animals* noted on January 28, 2022. The IACUC determined that the research lab had been performing surgeries on zebra finches using an unapproved route of lidocaine administration. Additionally, another approved analgesic that was administered was expired. This determination was based on observations made by clinical veterinary staff as well as discussions with the PI. This was first reported to you on February 2, 2022, via voicemail message from an IACUC Senior Regulatory Analyst.

The PI was counseled on January 28, 2022, by the Sr. IACUC Liaison and PI voluntarily elected to discontinue performing surgeries until new analgesics could be obtained. An amendment to update the route of lidocaine administration was approved on February 3, 2022. On March 23, 2022 the Sr. IACUC Liaison conducted a post-approval monitoring (PAM) visit and determined that all compliance concerns have been resolved.

We believe the actions taken by the IACUC are appropriate for this situation.

Yours sincerely,

(b) (6)

Joan Conaway, PhD  
Vice Provost, Dean of Basic Research, and Institutional Official  
University of Texas Southwestern Medical Center

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

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**From:** OLAW Division of Compliance Oversight (NIH/OD)  
**Sent:** Monday, April 25, 2022 10:20 AM  
**To:** (b) (6)  
**Cc:** OLAW Division of Compliance Oversight (NIH/OD)  
**Subject:** RE: Report to OLAW

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

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

**From:** (b) (6)  
**Sent:** Monday, April 25, 2022 10:13 AM  
**To:** OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>  
**Cc:** Joan Conaway <Joan.Conaway@UTSouthwestern.edu>; (b) (6)  
(b) (6)  
**Subject:** [EXTERNAL] Report to OLAW

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and are confident the content is safe.

To the Division of Compliance Oversight,

Attached is a final report of noncompliance. Please let me know if you have any questions regarding this report.

Thank you,

(b) (6)

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**UT Southwestern**  
Medical Center  
The future of medicine, today.



## Initial Report of Noncompliance

By: BCM

Date: 2/2/2022

Time: Voicemail

Name of Person reporting: (b) (6)

Telephone #: (b) (6)

Fax #:

Email:

Name of Institution: Univ. of Texas Southwest Med Cen.

Assurance number: A3472

Did incident involve PHS funded activity? yes

Funding component: NINDS

Was funding component contacted (if necessary):

What happened?

Unapproved, and/or expired, post-op analgesic used in approx. 100 birds.

Species involved: Zebra finches

Personnel involved: research staff

Dates and times: 1/28/22

Animal deaths: No

Projected plan and schedule for correction/prevention (if known):

Counseling of research staff.

Projected submission to OLAW of final report from Institutional Official:

< 60 days

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Case #