



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

October 30, 2018

Re: Animal Welfare Assurance  
A3153-01 [OLAW Case 2J]

Dr. Randall S. Mason  
Vice President of Research Operations  
Beth Israel Deaconess Medical Center  
330 Brookline Ave., GRZ 6  
Boston, MA 02215

Dear Dr. Mason,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your October 23, 2018 letter regarding noncompliance with the Public Health Service (PHS) Policy on Humane Care and Use of Laboratory Animals at the Beth Israel Deaconess Medical Center (BIDMC). Your letter was preceded by a preliminary report to OLAW that was made by telephone on August 6, 2018. According to the information supplied, OLAW understands that a laboratory was provided with a health alert on July 31, 2018 and reminder on August 1, 2018 to euthanize two mice that had tumors that exceeded acceptable size limits. On August 2, 2018, one mouse was found dead as a direct result of an unapproved biopsy performed by a researcher and conducted with the knowledge and approval of the Principal Investigator (PI). The surviving mouse was euthanized after authorization by the Attending Veterinarian. Additionally, a surgery card was not used to identify the animal cage and expired analgesic was provided to the two mice. It was disclosed that the expired analgesic had been in use for longer than 6 months by four other researchers in the laboratory and was administered to more than 50 animals. The involved animal activity was reported to be PHS supported.

On August 2, 2018, the IACUC removed animal use privileges from the researcher that conducted the unapproved biopsies and initiated an investigation and communications with the PI. After review of the events, the IACUC unanimously agreed that the PI be removed from the animal protocol and that after a period of one year, the investigator would be permitted to petition for reinstatement of privileges. On October 9, 2018, the IACUC approved a protocol amendment to remove the investigator and have another investigator assume PI responsibilities. Prior to restoration of facility and animal access, the IACUC required retraining for the researcher that performed the unapproved procedures, and the researchers that administered expired analgesics were required to undergo retraining before resuming their work with animals.

The actions of the BIDMC IACUC were in keeping with the philosophy of self-regulation. OLAW is satisfied that appropriate actions have been taken to investigate this incident and the additional actions taken to prevent recurrence are appropriate. We appreciate being informed of these matters and find no cause for further action by this Office at this time.

*Page 2 – Dr. Mason*  
*October 30, 2018*  
*OLAW Case A3153-2J*

Sincerely,

(b) (6)

Jane Na, DVM  
Veterinary Medical Officer  
Office of Laboratory Animal Welfare

cc: IACUC Chair



Beth Israel Deaconess  
Medical Center



A teaching hospital of  
Harvard Medical School

A3153

**Randall S. Mason**  
*Vice President, Research  
Operations*

Research & Academic Affairs  
330 Brookline Ave, BR-264  
Boston, MA 02215

617-975-8536 **Phone**

617-667-4445 **Fax**

rmason@bidmc.harvard.edu

October 23, 2018

Axel V. Wolff, M.S., D.V.M.  
Director, Division of Compliance Oversight  
Office of Laboratory Animal Welfare  
National Institutes of Health  
Rockledge 1, Suite 360, MSC 7982  
6705 Rockledge Drive  
Bethesda, MD 20892-7982

Re: Non-compliance on Beth Israel Deaconess Medical Center (BIDMC) protocol #086-2016 titled "Murine Immune and Cancer Models."

Dear Dr. Wolff:

The Institutional Animal Care and Use Committee (IACUC) was informed of the use of expired analgesia and the disregard of IACUC-008, Policy for Tumor Propagation in Rodents. These animal welfare infractions were performed on BIDMC protocol #086-2016 titled "Murine Immune and Cancer Models". This study uses mice and was funded by NIH grant R01CA16893-05 "Mediation of AR and ERG Driven Prostate Cancer."

On Tuesday, July 31<sup>st</sup>, 2018, a health alert was sent by email to the Principal Investigator and his researcher informing them that two mice had tumors in excess of 2cm, which exceeded the BIDMC's Policy for Tumor Propagation in Rodents (IACUC-008) and therefore required euthanasia. On August 1<sup>st</sup>, 2018, the Animal Research Facility (ARF) staff sent a reminder that the animals still needed to be euthanized and no response was received. Instead, the researcher sent an email to the Center for Life Sciences (CLS) ARF Supervisor, on August 2<sup>nd</sup> informing them that a biopsy had been performed on both mice and that this resulted in decreasing the size of the tumors to within acceptable limits (i.e. <2cm) with the goal of keeping them alive and on study longer. The PI confirmed knowing and approving of this surgical procedure and approach. Unfortunately, one of the two mice was found dead on Aug 2<sup>nd</sup> as a direct result of the biopsy with a large amount of blood noted throughout the cage. The remaining mouse was moved to a clean cage and the Attending Veterinarian authorized immediate euthanasia of the second mouse.

During the discussion of these events at the August 2<sup>nd</sup> IACUC meeting, the Committee was informed that no surgery card was present on the cage, which also brought into question whether analgesia had been administered to either mouse. Meloxicam Sustained Release (SR) is the listed analgesia on the approved protocol.

Based on the information above, the Committee voted unanimously at that time to suspend the researcher from performing any additional animal work until further information was obtained from the Principal Investigator and discussed at the next convened IACUC meeting on September 6<sup>th</sup>, 2018. Card access to the animal facility was rescinded immediately for the researcher involved.

At the September 6<sup>th</sup>, 2018 IACUC meeting, the IACUC reviewed the Principal Investigator's response to the IACUC letter dated August 6<sup>th</sup>, 2018. Also shared with the committee were

email correspondence between the PI and the IACUC chair seeking additional information about the events and where it was discovered that the researcher did administer analgesia, but that it was expired. Further information provided by the PI documented that >50 animals had received the expired analgesia spanning >6 months and involved four other researchers in the laboratory of the PI.

The Committee was disturbed with the sequence of events and after much discussion voted unanimously that the Principal Investigator remove themselves from protocol 086-2016 as PI effective October 4, 2018 for a period of one year and to identify an individual to assume responsibility for the protocol, animal welfare, and all personnel listed. An amendment making this change in Principal Investigator was submitted and approved by Designated Member Review on October 9, 2018. At the end of one year, the PI is permitted to petition the IACUC to have privileges restored. The committee also agreed that the researcher that performed the unapproved surgical procedure was to remain suspended until all required re-training had been completed. The four researchers that also used the expired Meloxicam SR were required to complete retraining before working with animals.

Sincerely,

(b) (6)

Randall S. Mason  
Vice President, Research Operations

Cc: Chair, Department of Medicine  
Division Chief of Hematology and Oncology  
Principal Investigator  
IACUC Chair  
IACUC Administrator

## Morse, Brent (NIH/OD) [E]

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**From:** OLAW Division of Compliance Oversight (NIH/OD)  
**Sent:** Tuesday, October 23, 2018 11:16 AM  
**To:** IACUC Committee; OLAW Division of Compliance Oversight (NIH/OD)  
**Subject:** RE: OLAW letter of non-compliance

Thank you for this report (b) (6) We will send an official response soon.

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:** IACUC Committee [mailto:IACUC@bidmc.harvard.edu]  
**Sent:** Tuesday, October 23, 2018 10:59 AM  
**To:** OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>  
**Subject:** OLAW letter of non-compliance

To OLAW:

Please see attached our letter of non-compliance and it's resolution. Should you have any questions, please feel free to contact me.

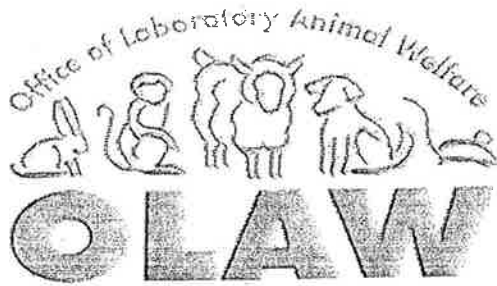
Sincerely,

(b) (6)

(b) (6)

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Initial Report of Noncompliance

By: *egm*

Date: *8/6/17*<sup>8</sup>

Time: *11:30*

Name of Person reporting: (b) (6)

Telephone #: (b) (6)

Fax #: (b) (6)

Email: (b) (6)

Name of Institution: *Beth Israel Deaconess Med. Cen.*  
Assurance number: *A3153*

Did incident involve PHS funded activity? *Yes*

Funding component: \_\_\_\_\_

Was funding component contacted (if necessary): \_\_\_\_\_

What happened? *2 mice w/ tumors > 2 cm. Instead of euthanizing as instructed, researcher biopsied tumors to reduce size. One mouse died due to blood loss. No record of analgesia.*  
Species involved: *mouse*  
Personnel involved: *Researcher*  
Dates and times: *8/2/18*  
Animal deaths: *Other mouse under Vet care. Researcher suspended.*  
*Yes, one mouse*

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

Projected submission to OLAW of final report from Institutional Official: \_\_\_\_\_

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Case # \_\_\_\_\_