



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

August 26, 2019

Re: Animal Welfare Assurance  
A3823-01 [OLAW Case 7Z]

Dr. Adam Kuspa  
Senior Vice President for Research  
Baylor College of Medicine  
One Baylor Plaza, BCM310  
Houston, TX 77030

Dear Dr. Kuspa,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your August 16, 2019 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at Baylor College of Medicine (BCM). According to the information provided OLAW understands that three cages, without water, containing 6 mice total were found in an automated euthanasia machine. None of the mice exhibited any health concerns or appeared to be in distress. The animals were subsequently euthanized. It is understood that the related protocol was partially PHS funded.

Corrective actions included the research protocol personnel completing a workshop on the use of the automated euthanasia machine and applicable online training courses and review the IACUC Policy "Euthanasia in Rodents". It is also understood that the funding component has been notified of the incident.

The consideration of this matter by Baylor College of Medicine was consistent with the philosophy of institutional self-regulation. OLAW concurs that the incident warranted reporting. Based on the information provided, OLAW is satisfied that appropriate actions have been taken to investigate this incident and prevent recurrence. We appreciate being informed of this matter and find no cause for further action by this office.

Sincerely,

(b) (6)

Brent C. Morse, DVM  
Director  
Division of Compliance Oversight  
Office of Laboratory Animal Welfare

cc: IACUC Contact



A3823-72

**OFFICE OF RESEARCH**

One Baylor Plaza, BCM310  
Houston, Texas 77030-3411

(713) 798 - 6983  
(713) 798 - 2721 FAX  
akuspa@bcm.edu

CONFIDENTIAL

August 16, 2019

Brent Morse, DVM  
Acting Director, Division of Compliance Oversight  
Office of Laboratory Animal Welfare  
National Institutes of Health  
olawdco@mail.nih.gov

RE: Assurance #D16-00475

Dear Dr. Morse,

As Institutional Official for Baylor College of Medicine (BCM), I have the duty to inform you of our Institutional Animal Care and Use Committee's (IACUC) recent finding in animal research after an assessment of the following protocol:

**Protocol:** AN-2648: RGS Family Expression

**Species:** Mice and Rats

**Funding Sources:** National Eye Institute (NEI) 5R01EY025218-04, 5R01EY026545-03 and Non-PHS Funding

For this investigator's first incident of this nature, the IACUC determined that the following finding constitutes *serious noncompliance*<sup>1</sup> with the federal regulations:

**Euthanasia Procedures**<sup>II, III</sup>

Three cages containing a total of six mice were prepared for euthanasia in the central housing automated euthanasia machine. The cages were discovered by animal care personnel and the animals were found without access to water. The mice did not have any health concerns nor appear to be in distress and were appropriately euthanized as described in the IACUC approved protocol.

**Corrective Actions:**

1. The Attending Veterinarian requested all personnel listed on the IACUC approved protocol participate in a workshop on the institutional requirements and use of the automated euthanasia machine, provided by central animal care facility training staff.
2. All laboratory personnel listed on the IACUC approved protocol were required to review the IACUC Policy: Euthanasia in Rodents.

<sup>1</sup> PHS Policy IV.F.3.a: "The IACUC, through the Institutional Official, shall promptly provide OLAW with a full explanation of the circumstances and actions taken with respect to: a. any serious or continuing noncompliance with this Policy"

<sup>2</sup> PHS Policy IV.C.1.a: "Procedures with animals will avoid or minimize discomfort, distress, and pain to the animals, consistent with sound research design.

"The Guide, p.67: "Animals should have access to potable, uncontaminated drinking water according to their particular requirements." procedures"

3. All laboratory personnel listed on the IACUC approved protocol completed the online training course "Animal Work at BCM," review the "Euthanex Smart Box Chamber Video" and retake the online training modules "CO<sub>2</sub> Euthanasia" and "Working with the Laboratory Mouse."

This finding of non-compliance does not appear to pose any potential or actual effect on cost related to this PHS supported research.

This notification will also be sent to AAALAC International, National Eye Institute (NEI) and non-PHS funding sources according to the terms and conditions of the award.

Please do not hesitate to contact me if you have any questions.

Sincerely,

(b) (6)

Adam Kuspa, PhD  
Senior Vice President and Dean of Research  
Institutional Official  
Baylor College of Medicine

cc: Principal Investigator  
Department Chair  
Research Compliance Services files

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

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**From:** OLAW Division of Compliance Oversight (NIH/OD)  
**Sent:** Wednesday, August 21, 2019 11:56 AM  
**To:** (b) (6) OLAW Division of Compliance Oversight (NIH/OD)  
**Cc:** (b) (6)  
**Subject:** RE: OLAW Report – Assurance D16-00475

Thank you for providing these reports (b) (6). We will send official responses soon.

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:** (b) (6)  
**Sent:** Wednesday, August 21, 2019 9:48 AM  
**To:** OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>  
**Cc:** (b) (6)  
**Subject:** OLAW Report – Assurance D16-00475

Dear Dr. Morse,

Please find attached notifications of research non-compliance as determined by our IACUC, and sent on behalf of Dr. Adam Kuspa, Institutional Official.

Please feel free to contact me if you have any questions.

Thank you,

(b) (6)

(b) (6)

(b) (6)



OFFICE OF RESEARCH

One Baylor Plaza, BCM310  
Houston, Texas 77030-3411

(713) 798 – 6983  
(713) 798 – 2721 FAX  
akuspa@bcm.edu

CONFIDENTIAL

August 16, 2019

Lisa Neuhold, PhD  
Program Official  
National Eye Institute  
lneuhold@mail.nih.gov

RE: Assurance #D16-00475

Dear Dr. Neuhold,

As Institutional Official for Baylor College of Medicine (BCM), I have the duty to inform you of our Institutional Animal Care and Use Committee's (IACUC) recent finding in animal research after an assessment of the following protocol:

**Protocol:** AN-2648: RGS Family Expression

**Species:** Mice and Rats

**Funding Sources:** National Eye Institute (NEI) 5R01EY025218-04, 5R01EY026545-03 and Non-PHS Funding

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<sup>III</sup> The Guide, p.67: "Animals should have access to potable, uncontaminated drinking water according to their particular requirements." procedures"

This notification will also be sent to Office of Laboratory Animal Welfare (OLAW), AAALAC International and non-PHS funding sources according to the terms and conditions of the award.

Please do not hesitate to contact me if you have any questions.

Sincerely,

(b) (6)

A large rectangular grey box redacting the signature of Adam Kuspa.

Adam Kuspa, PhD  
Senior Vice President and Dean of Research  
Institutional Official  
Baylor College of Medicine

cc: Principal Investigator  
Department Chair  
Research Compliance Services files