



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 16, 2019

Re: Animal Welfare Assurance
A3823-01 [OLAW Case 8F]

Dr. Mary Dickinson
Vice President and Dean of Research
Baylor College of Medicine
One Baylor Plaza, BCM335
Houston, TX 77030

Dear Dr. Dickinson,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your October 4, 2019 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at Baylor College of Medicine. According to the information provided, OLAW understands that 15 mice which underwent cranial surgery received a different combination of analgesics than described in the protocol. The mice recovered uneventfully.

The corrective actions consisted of the Institutional Animal Care and Use Committee (IACUC) requiring the Principal Investigator to submit a surgical oversight plan requiring the following:

- Accounting for all surgeries, substances given to animals, anesthetics/analgesics, and certifying that all procedures were performed as described in the protocol
- The plan must be approved by the IACUC or surgeries will be suspended
- Once the plan is approved, the IACUC chair will counsel the Principal Investigator (PI) and staff
- The PI will be responsible for reviewing records, procedures, and compliance
- The PI will document review of surgical records and will notify the IACUC of any deviations
-

In addition, the laboratory was placed under enhanced post-approval monitoring, continuing noncompliance will result in escalating sanctions, and the protocol was amended to state that mice will be returned to the vivarium following surgery to allow animal care staff to verify provision of analgesia and monitoring. The laboratory staff was retrained on the analgesic regimen and a standard operating procedure was developed which describes the analgesic regimen, monitoring, and all approved procedures.

Based on its assessment of this explanation, OLAW understands that measures have been implemented to correct and prevent recurrence of this problem. OLAW concurs with the actions taken by the IACUC to comply with the PHS Policy.

Sincerely,

(b) (6)

Axel Wolff, M.S., D.V.M.
Deputy Director
Office of Laboratory Animal Welfare

cc: IACUC Chair



A 3823-8F

OFFICE OF RESEARCH

One Baylor Plaza, BCM310
Houston, Texas 77030-3411

(713) 798 - 6966
(713) 798 - 2721 FAX
mdickins@bcm.edu

CONFIDENTIAL

October 4, 2019

Brent Morse, DVM, DACLAM
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-7012: Analysis of Cortical Circuits in the Mouse

Species: Mice

Funding Sources: National Institute of Neurological Disorders and Stroke (NINDS) R21-NS104781 and Non-PHS funding

For this investigator's second incident of this nature, the IACUC determined that the following finding constituted *serious and continuing noncompliance*ⁱ with the federal regulations:

Experimental Process^{ii, iii, iv}

Following cranial surgery, fifteen mice received post-operative analgesia agents that were given in a different combination than is described in the IACUC-approved protocol. All fifteen mice recovered without incident.

Corrective Actions:

1. The IACUC requires a comprehensive plan from the PI to ensure appropriate oversight of compliance by all personnel involved in surgery.
 - o The oversight plan must include a process of accounting of all surgeries conducted, substances delivered to an animal during the perioperative periods, including anesthetic and analgesic drugs

ⁱ 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;"

ⁱⁱ The GUIDE, 8th Ed. p115: "Successful surgical outcomes require appropriate attention to presurgical planning, personnel training, anesthesia, aseptic and surgical technique, assessment of animal well-being, appropriate use of analgesics, and animal physiologic status during all phases of a protocol involving surgery and postoperative care."

ⁱⁱⁱ The GUIDE, 8th Ed. p115: "Researchers conducting surgical procedures must have appropriate training to ensure that good surgical technique is practiced – that is, asepsis, gentle tissue handling, minimal dissection of tissue, appropriate use of instruments, effective hemostasis, and correct use of suture materials and patterns."

^{iv} PHS Policy IV.B.6: "The IACUC shall with respect to PHS-conducted or supported activities "review and approve, require modifications in (to secure approval), or withhold approval of those components of PHS-conducted or supported activities related to the care and use of animals..."

- (pre- & post-surgery), and a verification process that such activities were performed by the surgeon, e.g. review and sign-off by a lab manager or another lab surgeon (i.e. a "buddy system").
- The plan will be reviewed at the next convened IACUC meeting for approval. If the plan is not approved, all surgeries will be suspended until a satisfactory plan is approved by the IACUC.
 - Once the plan is approved, the IACUC Chair will convene a mandatory meeting with the PI, Department Chair, and all laboratory personnel to review and discuss the determination, the required corrective actions, and the plans for ensuring compliance.
 - The Principal Investigator (PI) will review records, procedures, and compliance (e.g. any checklists, discussion at lab meetings, and description of material reviewed).
 - The PI will document in writing their review of the surgical records and notify the IACUC of any deviations from approved procedures.
2. There will be increased oversight of the surgeries performed under supervision of the PI by the IACUC for six months after approval of the plan.
 - There will be four comprehensive Post-Approval Monitoring (PAM) reviews focused on surgery, conducted at months 1, 3, 6, and 12.
 - For the next six months, a robust monthly review of all surgery, anesthesia, and analgesia records and adherence to the plan will be conducted.
 3. If compliance with the IACUC approved plan or the increased oversight is not maintained, there will be escalating punitive corrective actions including, but not limited to suspension of all surgical privileges.
 4. All animals undergoing surgery must be returned to the vivarium for the entire post-operative recovery period, where animal care staff will verify post-operative care and analgesic administration by your laboratory members and provide routine health observations. The currently approved protocol must be amended to include this requirement.
 5. All research personnel were trained by a clinical veterinarian on the appropriate analgesic regimen.
 6. A laboratory standard operating procedure was developed to ensure compliance with the IACUC approved analgesic regimen, required monitoring and lists all approved procedures.

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 and the National Institute of Neurological Disorders and Stroke and the 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)

Mary Dickinson, PhD
Vice President and Dean of Research
Institutional Official
Baylor College of Medicine

cc: Principal Investigator
Department Chair
Research Compliance Services files

Wolff, Axel (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Monday, October 7, 2019 6:53 AM
To: (b) (6)
Cc: OLAW Division of Compliance Oversight (NIH/OD)
Subject: RE: OLAW Report - Assurance D16-0475

Thanks for these reports, (b) (6) We will send responses soon.

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

From: (b) (6)
Sent: Friday, October 4, 2019 2:34 PM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Cc: (b) (6)
Subject: OLAW Report - Assurance D16-0475

Dear Dr. Morse,
Please find attached notification of an adverse event as determined by our IACUC, and sent on behalf of Dr. Mary Dickinson, Institutional Official. Please feel free to contact me if you have any questions.

Thank you,
(b) (6)

(b) (6)

