



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

November 7, 2019

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

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 letter dated November 5, 2019 regarding noncompliance with the Public Health Service (PHS) Policy on Humane Care and Use of Laboratory Animals at Baylor College of Medicine. This letter had not been preceded by a preliminary report to OLAW.

According to the information provided, our office understands that 33 mice on a PHS funded activity failed to receive a secondary dose of analgesic for cranial injections and failed to receive health evaluations as described in the protocol that was approved by the Institutional Animal Care and Use Committee (IACUC). No resulting animal welfare issues were identified.

Corrective actions consisted of training, and requiring the Principal Investigator (PI) to develop a comprehensive compliance oversight plan for the laboratory members. The plan must include a process to account for all surgical procedures, substances used during, pre, and post-surgery, and verification that required tasks were performed by the surgeon. The plan will be reviewed by the IACUC and once approved, the IACUC Chair will meet with the PI and laboratory members to review and discuss the determination, required corrective actions, and plans for ensuring compliance. In addition, the PI will review records, procedures and compliance, as well as discuss compliance progress at laboratory meetings. There will be enhanced IACUC supervision of surgeries for six months and post approval monitoring reviews of the surgeries. The IACUC also will escalate punitive corrective actions if these plans are not followed.

OLAW appreciates your institution's diligence in self-reporting of noncompliances and developing corrective measures as described in this report. Efforts such as this help characterize the extent and nature of programmatic issues and serve as a critical step in the development of comprehensive, institution-wide corrective actions. We look forward to a description of your progress to this end in your next report under your institution's enhanced reporting schedule. Please note that reports of noncompliance to OLAW should include dates of occurrence when describing the incident. Please include this information in future submissions, and please contact our office if the corrective actions outlined in your self-report are not carried out as described. Regarding this specific instance of non-compliance, we appreciate having been informed of this matter and at this time find no cause for further action by this office.

Sincerely,

(b) (6)

Nicolette Petervary, VMD, DACAW  
Animal Welfare Policy Specialist  
Office of Laboratory Animal Welfare

CC: IACUC Contact



A3823-8M  
no open case  
OFFICE OF RESEARCH

One Baylor Plaza, BCM310  
Houston, Texas 77030-3411

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

CONFIDENTIAL

November 5, 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-6076: Molecular Mechanism of Leptin Resistance

**Species:** Mice

**Funding Sources:** National Institutes of Diabetes and Digestive and Kidney Diseases (NIDDKD) R01-DK104901 and Non-PHS funding

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

**Post-operative Monitoring and Analgesic<sup>iii</sup>**

During a daily health observation, it was discovered that 33 mice underwent a cranial injection procedure, but did not receive health evaluations by research staff or a secondary dose of analgesic. All mice received a sustained release analgesic for the post-operative period and recovered without incident.

<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>ii</sup> PHS Policy IV.C.1.b: "Procedures that may cause more than momentary or slight pain or distress to the animals will be performed with appropriate sedation, analgesia or anesthesia, unless the procedure is justified for scientific reasons in writing by the Investigator."

<sup>iii</sup> The Guide for the Care and Use of Laboratory Animals p.119, "An important component of postsurgical care is observation of the animal and intervention as necessary during recovery from anesthesia and surgery (Haskin and Elsele 1997). The intensity of monitoring will vary with the species and the procedure and may be greater during the intermediate anesthetic recovery period...Particular attention should be given to the thermoregulation, cardiovascular and respiratory function, electrolyte and fluid balance, and management of postoperative pain or discomfort...Appropriate medical records should also be maintained..."

<sup>iv</sup> The Guide for the Care and Use of Laboratory Animals. 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."

## Experimental Process <sup>11</sup>

During the assessment interview it was discovered that these mice were sedated with a vaporized anesthetic before handling and injecting analgesics, which is not described in the IACUC approved protocol.

### Corrective Actions:

1. The IACUC requires a comprehensive plan from the PI to ensure appropriate oversight of compliance by all personnel involved in surgery.
  - 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 (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 and 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 two Post-Approval Monitoring (PAM) reviews focused on surgery within 6 months of the IACUC determination.
  - A 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 research personnel are required to be trained on appropriate surgical monitoring and analgesic administration by central animal facility training staff.
5. The surgeon must complete training on the proper handling of mice for manipulation and analgesic administration by central animal facility training staff.

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, the National Institutes of Diabetes and Digestive and Kidney Diseases, and the non-PHS funding source according to the terms and conditions of the award.

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<sup>11</sup> 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..."

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

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

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**From:** OLAW Division of Compliance Oversight (NIH/OD)  
**Sent:** Tuesday, November 05, 2019 3:57 PM  
**To:** (b) (6) OLAW Division of Compliance Oversight (NIH/OD)  
**Cc:** (b) (6)  
**Subject:** RE: OLAW Report - Assurance D16-0475

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

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**From:** (b) (6)  
**Sent:** Tuesday, November 05, 2019 3:04 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)