



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 8, 2018

Re: Animal Welfare Assurance
A3145-01 [OLAW Case IZ]

Dr. Mark Chance
Vice Dean for Research, School of Medicine
Case Western Reserve University
10900 Euclid Avenue
Cleveland, OH 44106-4988

Dear Dr. Chance,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your August 6, 2018 letter reporting several instances of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at Case Western Reserve University (CWRU), following up on an initial March 28, 2018 email notification. According to the information provided, OLAW understands that three authorized users listed on a protocol failed follow appropriate surgical techniques, maintain aseptic conditions and provide supportive care to five mice that underwent a survival procedure. The responsible personnel also failed to promptly euthanize the animals as authorized by the Veterinarian. The following day, incisional dehiscence was evident in three mice and all five animals were immediately euthanized. Although the associated animal activities were PHS funded, all expenditures charged against the grant during the noncompliant period were transferred to non-federal accounts and the funding agencies have been notified of the violations.

The corrective actions consisted of all individuals from the laboratory completing hands-on retraining on rodent anesthesia and surgery; requiring that all personnel certify having read the approved protocols and halting all future surgical procedures until veterinary staff have observed the initial performance and supervised the first three inoculation procedures by all laboratory members. The IACUC also requested that the PI submit a written action plan which establishes procedures to ensure that appropriate surgical procedures are followed by newly trained members of the laboratory in accordance with the approved protocol and that each new member work with a PAM coordinator when performing surgeries for the first time. OLAW further understands that continuing noncompliance by the three students will result in escalating sanctions, including revocation of their animal use privileges. The training program and institutional policies are constantly being reviewed and updated by the IACUC and Animal Resource Center as part of their ongoing efforts to enhance the animal care and use program at CWRU.

The establishment and application of policies and practices that are consistent with the provisions of the PHS Policy on Humane Care and Use of Laboratory Animals at CWRU are commendable and avoid the perception of a double standard. We appreciate having been informed about this matter and find no cause for further action by this Office.

Sincerely,

(b) (6)

Neera V. Gopee, DVM, PhD, DACLAM, DABT
Animal Welfare Program Specialist
Division of Compliance Oversight
Office of Laboratory Animal Welfare

cc: IACUC Chair



SCHOOL OF MEDICINE
CASE WESTERN RESERVE
UNIVERSITY

Mark R. Chance, Ph.D.
Vice Dean for Research

School of Medicine

10900 Euclid Avenue
Cleveland, Ohio 44106-4988

Visitors and Deliveries
BRB 930

Phone 216.368.0291
Fax 216.368.3812
mark.chance@case.edu

August 6, 2018

Brent Morse, DVM
Director, Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health
RKL 1, Suite 360, MS 7982
6705 Rockledge Drive
Bethesda, MD 20892-7982

Re: Assurance# A3145-01

Dear Dr. Morse,

The purpose of this letter is to report the final findings of a noncompliance investigation reported to your office by letter dated March 28, 2018 and the institutional actions that have been and will be taken. The incident involved a surgical manipulation with inappropriate technique, absence of aseptic conditions and patient support on one cage of five mice. These procedures were conducted by three staff members listed on the protocol. The mice were identified by Veterinary Services. The Veterinarian asked that the mice be euthanized immediately. The following day, a health report revealed these mice were not euthanized as requested. Three of the mice presented with dehiscence incisions and were euthanized immediately. The actions of the staff members were inconsistent with IACUC guidelines and/or policies and the Guide for the Care and Use of Laboratory Animals.

The matter was reported to the IACUC Chair. The IACUC Chair appointed a subcommittee consisting of a scientist, a non-scientist, and a staff veterinarian to investigate the allegations. The subcommittee convened and investigated the matter.

The subcommittee presented its report to the IACUC on April 17, 2018. The IACUC concluded by majority vote that there were acts of serious non-compliance with animal care and use requirements with respect to performing inappropriate procedures without proper aseptic technique and patient support.

The IACUC concluded by majority vote on the following recommended actions for the PI's animal research:

1. All members of laboratory involved in laboratory animal research (surgical or not) including the PI and research faculty, need to undergo hands on retraining in the "Rodent anesthesia and surgical procedures" class.
2. No additional brain tumor inoculations are to be carried out until each member doing the procedure is initially observed by vet services. In addition, the persons doing the procedure (as identified by the PI) need to be supervised during the first 3 procedures. Costs of vet services will be covered by the PI.
3. All members need to read and certify that they have read the protocols within 30 days of this report.
4. It is recommended that the PI institute a mechanism to ensure that proper surgical protocols are followed by each newly trained member of the lab. We request a written plan for initiation and maintenance of this mechanism. In addition, we recommend that each new member work with the PAM coordinator during their initial surgeries.
5. The involved students will assume provisional status with regards to the ARC. Specifically, should these students be involved in another instance of serious or continuing noncompliance, their ability to conduct animal research at CWRU will be terminated.

All above recommendations were completed within 60 days from the PI's receipt of my formal letter dated May 11, 2018.

A review of the billing records showed that all direct costs associated with the care and use of the mice during the time frame of this incident were paid from NCI Grant R01-CA1777716 and U01-CA198892. The CWRU Office of Research Administration has removed these unauthorized costs from these accounts. The NIH funding components were notified of the situation.

Programmatically, the IACUC and Animal Resource Center continuously review the training program for investigators and research staff as well as our written guidelines and policies, making adjustments where needed to strengthen the program.

In closing, I want to assure you and your office of Case Western Reserve University's commitment to animal welfare regulations. Please let me know if you have any questions.

Sincerely,

(b) (6)



Mark Chance, Ph.D.
Vice Dean for Research
CWRU SOM IACUC Institutional Official
Charles W. and Iona A. Mathias Professor of Cancer Research
Director, Case Center for Proteomics and Bioinformatics

Morse, Brent (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Monday, August 06, 2018 12:28 PM
To: (b) (6) OLAW Division of Compliance Oversight (NIH/OD)
Cc: Mark Chance
Subject: RE: Noncompliance Investigation CWRU Final Report (2018_03_EK)

Thank you for providing 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: (b) (6)
Sent: Monday, August 06, 2018 12:09 PM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Cc: Mark Chance <mark.chance@case.edu>
Subject: Noncompliance Investigation CWRU Final Report (2018_03_EK)

Dr. Morse,

Please find the attached final report from Dr. Mark Chance, the Institutional Official for Case Western Reserve University regarding a noncompliance investigation first brought to your attention on March 28th, 2018. Please do not hesitate to let us know if you have any further questions regarding this matter.

Thank you,

(b) (6)



Gopee, Neera (NIH/OD) [E]

From: Gopee, Neera (NIH/OD) [E]
Sent: Thursday, July 26, 2018 2:31 PM
To: (b) (6)
Cc: (b) (6)
Subject: OLAW Request for update on preliminary noncompliance report for A3145-1Z

Dear (b) (6)

I am writing with regards to the non-compliance case which was reported by via email on March 28, 2018 involving inappropriate surgical procedures conducted on 5 mice at Case Western Reserve University. To date we do not have a record of receiving further information regarding this preliminary report. OLAW requests that submission of a final or interim report to the OLAW Division of Compliance Oversight (NIH/OD) olawdco@od.nih.gov at your earliest convenience.

If you have any questions or concerns regarding this matter, please do not hesitate to contact me.

Regards,
Neera

Neera V. Gopee, DVM, PhD, DACLAM, DABT
Animal Welfare Program Specialist
Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health

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SCHOOL OF MEDICINE
CASE WESTERN RESERVE
UNIVERSITY

13145-12

Mark R. Chance, Ph.D.
Vice Dean for Research

School of Medicine

10900 Euclid Avenue
Cleveland, Ohio 44106-4900

Visitors and Deliveries
BRB 930

Phone 216.368.0291
Fax 216.368.3812
mark.chance@case.edu

March 28, 2018

Assurance No. A3145-01

Dear Dr. Wolff,

I am writing to inform you of an incident of alleged noncompliance discovered on March 8, 2018. The allegations involved a surgical manipulation with inappropriate technique, absence of aseptic conditions and patient support on one cage of five mice. These procedures were conducted by three staff members listed on the protocol. The mice were identified by Veterinary Services. The Veterinarian asked that the mice be euthanized immediately. The following day, March 9, 2018 a health report revealed these mice were not euthanized as requested. Three of the mice presented with dehiscence incisions and were euthanized immediately. The IACUC has formed a subcommittee to investigate this incident. This project is 100% supported by federal funds (NCI R01-CA1777716). We will report findings of our investigation to you upon completion of the investigation.

If you have questions, please advise.

Sincerely,

(b)(6)

Mark Chance, Ph.D.
Vice Dean for Research
CWRU SOM IACUC Institutional Official
Charles W. and Iona A. Mathias Professor of Cancer Research
Director, Case Center for Proteomics and Bioinformatics

Wolff, Axel (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Wednesday, March 28, 2018 2:05 PM
To: (b) (6)
Cc: OLAW Division of Compliance Oversight (NIH/OD)
Subject: RE: New Noncompliance Investigation - CWRU Preliminary Report - 2018_03_EK

Thank you for this preliminary report, (b) (6). We will start a new case file and look forward to receiving the final report from the IO after the IACUC has completed its investigation.

Axel Wolff

From: (b) (6)
Sent: Wednesday, March 28, 2018 12:07 PM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Cc: Mark Chance <mark.chance@case.edu>
Subject: New Noncompliance Investigation - CWRU Preliminary Report - 2018_03_EK

Dear Dr. Wolff,

Please find the attached letter from Dr. Mark Chance, the Institutional Official for Case Western Reserve University, regarding a new IACUC noncompliance investigation we have begun.

Thank you,

(b) (6)

A large rectangular area of the document is completely redacted with a solid grey fill. The redaction covers the body of the email, likely containing the letter from Dr. Mark Chance mentioned in the text above.