NCURA Region II
Hot Topics in Research Administration

Presenters

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Hail to the Chief...

President Obama tries to use scientific jargon with little success

http://www.washingtonpost.com/news/politics/president-obama-tries-to-use-scientific-jargon-with-little-success/2014/12/02/d64db158-7a7b-11e4-8241-8cc0a3670239_story.html
Recent Articles

Keeping the Lights On
Nature Magazine Nov 20, 2014

How a $47 Shrimp Treadmill Became a $3-Million Political Plaything

Next Battle in the war on science
Politico, Nov 27, 2014

Boehner: Brace Yourself for Another Government Shutdown
Government Executive, June 5, 2015

Congrats Young Scientist
Rahaf Online, March 4, 2015

What Makes a Topic Hot?

- OIG Audit Plans released
- Investigations of research by government or press
- Audit findings at other institutions
- Allocations of wide-spread non-compliance
- New regulations or changes to existing law
O.I.G. Audit Plans

Office of Inspector General publishes its plan annually to describe the focus of its audits in the coming year.

- Each federal agency has its own OIG Audit Office
  - e.g., NIH Office of Inspector General [http://oig.hhs.gov](http://oig.hhs.gov)

Highlights of HHS OIG Audit Plan

- Compliance with Cost Principals
- Grants Policy Implementation
- Review of OMB A-133 Audits
- Information Security
- Detailed Work Plan:

HHS OIG Semiannual Report to Congress

- Payroll Certification System Pilot
- Reviewed UC Irvine pilot program that may have change the effort reporting process
- Small Business Programs under review
- OIG Auditors are looking at the A-133 audits for quality
  - About 10% of A-133 audits are in question!
Highlights of the NSF Audit Plan

- ARRA Awards completed by 9/30/13
- Lessons Learned from Government Shut Down
- Audits of Costs Charged to NSF Awards
- Review of A-133 Audits

Detailed Work Plan:

NSF OIG Semiannual Report to Congress

Major emphasis on 2/9ths salary rule

Expenses for equipment at the end of awards were questioned

Review of A-133 reports finds that 43% were late or inaccurate!

Civil and Criminal Investigations continue to amaze us!

Other Recent Changes In Regulations

SEE HANDOUTS BEGINNING ON PAGE 61
DATA Act

Digital Accountability and Transparency Act of 2014 (Public Law 113-101)
- Goal is to make the details of Federal spending more transparent to the public
- OMB and Treasury have one year to define common data elements for financial reporting
- Contractors have 2 years to start using the data elements

https://www.youtube.com/watch?v=Bnn3IsOhulE

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NIH Reminder on Application Compliance NOT-OD-15-095

Reminder that non-compliance can have serious consequences and NIH may withdraw any application that is not compliant with the instructions in the Application Guide, Funding Opportunity Announcement, and NIH Guide Notices.

Handouts p. 63
NOT-OD-15-039: Simplifying the NIH Policy for Late Application Submission
• Two weeks
• A cover letter explaining the reasons for the delay must be included with the application.

NOT-OD-15-108: Delays in Grant Application Submission due to weather/natural disasters/emergencies
• Applications submitted ASAP after applicant institution re-opens, not to exceed number of days applicant institution was closed

NOT-OD-15-032: New Biographical Sketch format
• New section: Contribution to Science

NOT-OD-15-098, NOT-OD-15-099: ASSIST now an option for R01, K, U01 proposals

NOT-OD-15-045: NRSA Stipends, Tuition/Fees and Other Budgetary Levels Effective for FY15
• 2% increase in stipend levels

The change to the method of making payments is being changed from a line-of-credit pool to account-by-account (subaccount) draws to enhance financial data integrity. Notices will now have PMS Account Type
• An “s” after the award type number = subaccount

Revised Timeline:
The transition of all NIH awards to PMS subaccounts is anticipated to be complete by September 30, 2016.

Transition to subaccounts will occur between 10/1/2015 and 9/30/16.

Carryover (und obligated) balances will be reported and then re-obligated to the new subaccount in PMS. The funds can be drawn if the award has automatic carryover authority
• All new awards will be subaccounts (P) with award types that contain the “s”
• NIH will be reviewing funds with 25% unobligated

FAQ: http://grants.nih.gov/grants/payment/faqs.htm

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NSF Updates – Automated Compliance Checks

Articles of Interest
Lehigh Professor Charged with Fraud in NASA Project
The Morning Call
NSF Freezes Grants to Uconn
Chronicle of Higher Education, May 1, 2015
University of Minnesota’s Medical Research Mess

Recent Misconduct Cases
Recent Misconduct Cases

Fabricated Data
• Wayne State University
• Columbia University

False Claims Act
• Columbia University $9M settlement

Targets of Misconduct Probe Launch a Legal Counterattack
• Science, January 2, 2015

Career Coach: Ethical lapses in leadership
• The Washington Post

Data Analytics

Analytics is the discovery and communication of meaningful patterns in data.

Especially valuable in areas rich with recorded information, analytics relies on the simultaneous application of statistics, computer programming, and operations research to quantify performance.

Analytics often favors data visualization to communicate insight.
Data analytics is useful in identifying risk at all stages of awards.

For example, at the preaward stage:
- Risks would include inflated budgets and conflicts of interest among proposal reviewers.

At the active award stage:
- Risks would include unusual burn rates (e.g., expenditures for equipment at the end of an award), excess cash on hand, and no, late, or inadequate project reports.

Red flags at the end of an award include multiple post-closeout financial adjustments.

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**Risk Assessment and Identification of Questionable Transactions**

**Phase I**
Identify High Risk Institutions

- Agency Award Data
  - Program reporting
  - Cash draw downs

- Data Analytics
  - Continuous monitoring of grant awards

- External Data
  - External Award
  - SAM (CCR, EPLS)

**Phase II**
Identify Questionable Expenditures

- Agency Award Data
  - Program reporting
  - Cash draw downs

- Awardee Data
  - General ledger
  - Subaward data

- Data Analytics
  - Apply risk indicators to G2
  - Compare to Agency data

- External Data
  - SAM (CCR, DPLS)

- Review Questionable Transactions

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Anomalous Drawdown Patterns

Normal drawdown pattern

Start up costs
Drawdown Spike
Extinguishing Remaining Grant funds (before expiration)
Extinguishing Remaining Grant funds (after expiration)

Example: Equipment Charges Incurred Immediately Before Grant Expiration Date

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Same day as expiration

57 days before expiration

46 days before expiration

Travel Related to Award?

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Just before award expiration

Just after award expiration
Data Analytics were used throughout the audit to determine problem areas and identify questionable costs

- A-133 Audit report triggered the audit

NSF OIG identified $6,325,483 in questioned costs

- $1.9 million in overcharged summer salaries (9-month calculation)
- $2.8 million in unsupported cost-sharing
- $500K in inappropriate cost transfers
- $473K in F&A overcharges
- $440K in unallowable costs
- $180K in unallowable fellowship costs

NSF Audit Resolution settles for $43,551

The OIG stated the following in regard to the other costs:

We escalated recommendations pertaining to $2.2 million in cost sharing claimed for which UCSB did not have supporting documentation, $1.9 million of overcharged summer salaries, and more than $136,000 of equipment purchased toward the end of a grant. NSF has informed us that it does not intend to sustain any additional costs from the audit stating that the university’s treatment of summer salaries complies with its policy and that UCSB maintained adequate supporting documentation for cost share. With respect to equipment purchases, NSF stated that such purchases appeared to be reasonably allocated to NSF grants.

OIG disagrees with NSF’s decision to allow $6 million of costs questioned in the audit.

Source: OIG Report to Congress 9/2014

NSF Sustains $43,551 of $6.3 million of Questioned Costs at the University of California, Santa Barbara

Audit Resolution
University of Wisconsin Madison NSF Audit

Audit done using Data Analytics
Auditors questions $1.2 Million in personnel salary over the 2-month limit
Leave accrual and charges to NSF awards questioned
Expenses at the end of the award and after the period of performance questioned
Travel expenses paid for personnel not paid from the award was questioned

UCSD HHS Audit

Audit was done using random sample methodology
17 transactions found to be unallowable – resulting in a $202,401 request for settlement (Extrapolation!)
Hourly timesheet not approved
Purchasing equipment at the end of the award
Office supplies!

Investigation of Columbia University

Columbia failed to use a “suitable means of verifying whether the salary and benefits charged …. were based on employee’s actual effort on the grant”.
This failure resulted in “mischarges” to federal awards.
Columbia paid over $9 million to resolve the claims.
**Subrecipient Monitoring**

UMD’s SMOCers
- Subrecipient Profile
- Foreign Sub Profile
- Risk Assessment form

Aussie university asks for retraction, investigates former neurology research for fraud

Parkinson’s researcher to appear in court to face fraud charges

**Handouts starting p. 180**

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**Human Subjects Research**

**Human Subject:**
A living individual about whom an investigator obtains either:
- data through interaction or intervention with the individual
- private, identifiable information (name, address, SSN, etc)
Human Subjects Research

RESEARCH:
A systematic investigation—research development, testing and evaluation—designed to develop or contribute to generalizable knowledge.

What is generalizable knowledge?
• Examples: publication, posters, presentation at meetings, etc.

What makes a good ad for human subjects?
Answers who, what, when, where, and how
• Who – eligibility criteria
• What – description of what research is
• When – gives duration of project
• Where – logistics

Ad is the first step in informed consent
• Should be vetted by IRB committee

Online study of young children’s daily emotions and behaviors
Are you a parent of a child between the ages of 3 and 5 years old?
Researchers at UMD are investigating a number of phenomena related to children’s emotional and behavioral development from early childhood through adulthood.
Participants will be asked to complete online surveys each evening for 14 days.
Parent must be the primary caregiver and read and speak English.
Children must not have major medical or developmental disabilities. One child per family can participate.
Compensation: $50 Amazon.com gift card
Research possible through Federal award.
What questions do you ask?

Does it have IRB approval?
Federally funded?
Compensation?
Incentive?

It doesn’t have IRB approval!

Now what? People tested & payments made
- Compliance calls Chair
- Compliance assesses risk
  - Yes, risk. Calls VPR – performs IRB audit
- Researcher can’t use data
- Scientific misconduct
- JV expenses
- To where?

Post Approval Monitoring – Approved Protocols

Internal Risk Assessment
- What if no consent form found?
  - Can request consent after the fact
    - If no consent given, must remove data
- Subject numbers exceed number approved in protocol
- Compensation/Incentive payments greater than approved
- Handling of cash and other payment methods
- Grant congruency
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<tr>
<td>Denise Clark</td>
</tr>
<tr>
<td><a href="mailto:djclark@umd.edu">djclark@umd.edu</a></td>
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<tr>
<td>Ann Holmes</td>
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