

NIH GUIDE

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U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

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HAVE YOU MOVED?

If your present address differs from that shown on the address label, please send your new address to: Grants and Contract Guide Distribution Center, Division of Research Grants, NIH, Room 219, Westwood Building, Bethesda, Maryland 20014, and attach your address label to your letter. Prompt notice of your change of address will prevent your name from being removed from our mailing list.

The GUIDE is published at irregular intervals to provide policy and administrative information to individuals and organizations who need to be kept informed of requirements and changes in grants and contracts activities administered by the National Institutes of Health.

Supplements, printed on yellow paper, are published by the respective awarding units concerning new projects, solicitations of sources, and requests for proposals.

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CORRECTION - SUPPORT OF RESEARCH CENTERS

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Correction of page 17, Vol. 7, No. 4, March 10, 1978: The receipt dates for new grant applications are June 1, October 1, and February 1.

AMENDMENTS TO CANCER RESEARCH EMPHASIS

GRANT (CREG), DCT-4

The following amendments are being made in the announcement for CREG, DCT-4, which appeared in the *NIH Guide for Grants and Contracts*, Vol. 7, No. 1, January 12, 1978, page 9.

1. The team proposed for carrying out studies under this announcement should not exceed 3-4 professional personnel plus supporting staff.
2. NCI does not intend to make more than one award to any single institution. For the purposes of this limitation, institutions having several geographic sites will be considered separate institutions.
3. Investigators are encouraged to furnish key compounds to the NCI for in vivo screening.

With the exception of the above amendments, all statements in the original announcement remain unchanged.

INFORMATION ON PRIMATE

RESOURCES SOUGHT

NOTICE

The Division of Research Resources, National Institutes of Health, is evaluating its nonhuman primate research resources and has appointed a panel of distinguished scientists and administrators to make this evaluation. Direct inquiries regarding primate resource activities are being sent to a limited number of organizations maintaining colonies. The Panel is inviting information from additional sources. They are interested in learning of primate resource colonies that have standing populations of over 200 animals. They would like to know the numbers and species in the colony, the types of activities which are part of the resource program, the budget and sources of support for the colony, the number and types of research projects that use it, and problems of deficiencies of the resource program.

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The Panel is also interested in hearing from individual investigators who have suggestions for improvement of primate resource programs or have had their research hampered because of the lack of or deficiencies in primate resources.

The Panel will use the submitted information to appraise the adequacy of primate resources to meet current and future research needs. They will recommend to the NIH any changes indicated in its program for support of primate resources.

JRB Associates, Inc., is providing administrative support for the Panel. Responses should be addressed to:

Stephen B. Schectman
Program Director, Primate Study
JRB Associates, Inc.
8400 Westpark Drive
McLean, Virginia 22101

and must be received before May 1, 1978.

GRANT APPEALS PROCEDURE

PROCEDURE NOTICE

NOTE: For the convenience of grantee institutions, NIH is republishing this notice of a Grant Appeals Procedure first published in *NIH Guide for Grants and Contracts*, Vol. 3, No. 18, November 13, 1974.

1. PURPOSE This document establishes NIH procedure for the resolution of postaward controversy between grantee institutions and the NIH in order to preclude submission of cases to the DHEW Grant Appeals Board before NIH has had an opportunity to review decisions of its own officials and to settle disputes with grantees.
2. APPLICABILITY This policy is applicable to all NIH research and training project, program project, and center grants.
3. REFERENCES
 - a. Code of Federal Regulations, Title 42, Part 50, Subpart D, Public Health Service Grant Appeals Procedure.
 - b. PHS Grants Administration Manual Chapter 1-520.
 - c. NIH Grants Manual Chapter 4120.
4. BACKGROUND The Secretary of Health, Education, and Welfare has established a Departmental Grant Appeals Board for the purpose of reviewing and providing hearings upon postaward disputes which may arise in the administration of DHEW grants. Paragraph 16.5 (b) (2) of the Charter which establishes such Board authorizes DHEW agencies to establish informal appeals procedures, which must be exhausted before a formal appeal to the Departmental Board will be allowed. The PHS procedure is published as regulation in the Federal Register as 42 CFR, Part 50, Subpart D.
5. POLICY The NIH grant appeals procedure must be fully utilized toward resolution of postaward disputes between grantee institutions and NIH components. When such disputes are not resolved to the grantee institution's satisfaction under this procedure, the grantee then may, within specified time limits, appeal to the Departmental Grant Appeals Board as provided for in 45 CFR Part 16.
6. SCOPE
 - a. Postaward adverse determinations made in writing by the NIH which may be appealed through the NIH appeals procedure are as follows:

- (1) Termination, in whole or in part, of a grant for failure of the grantee to carry out its approved project in accordance with the applicable law and the terms of such assistance, or for failure of the grantee otherwise to comply with any law, regulation, assurance, term, or condition applicable to the grant.
- (2) Determination that an expenditure not allowable under the grant has been charged to the grant.
- (3) Determination that the grantee has failed to discharge its obligation to account for grant funds.
- (4) Disapproval of a grantee's written request for permission to incur an expenditure during the term of the grant.

[For purposes of this section, the failure of the appropriate NIH component to respond to a grantee's request within 30 days after the postmark date of the grantee's request shall be deemed notification of an adverse determination.]

- (5) Determination that a grant is void.
- b. Adverse determinations may not be submitted for review to the NIH unless the appropriate NIH official has:
- (1) notified the grantee in writing of such determination, or
 - (2) as in 6 a.(4) above, failed to respond to a grantee's written request within 30 days.
- c. In its written notification the NIH must set forth the reasons for the determination in sufficient detail to enable the grantee to respond. The adverse determination shall contain the following statement:
- "This determination may be appealed by making a written request for review. The request must be postmarked no later than 30 days after the postmark date of this notice. The request should be addressed to the Associate Director for Extramural Research and Training, NIH, Bethesda, Maryland 20014, and must clearly identify the question in dispute, contain a full statement of your position in respect to the question and the pertinent facts and reasons in support of such position. A copy of this determination must be attached to your submission."
- d. Determinations on establishment of indirect cost and research patient hospital care rates are made by the DHEW and may not be appealed to the NIH.

7. REVIEW COMMITTEE

- a. The Associate Director for Extramural Research and Training (ADERT) shall appoint a standing review committee consisting of him (or his designee) plus two other members representing the Office of the Director for Administration and the Division of Research Grants for terms to be designated at the time of appointment. The ADERT will be chairman.
- b. On a case-by-case basis, not less than two ad hoc members from the Bureaus, Institute, or Divisions will be named by the ADERT representing appropriate scientific administration and grants management. None of the members of the review committee reviewing any given appeal will be from the NIH component involved in the adverse determination.

8. PROCEDURE (See Flow Chart - Page 7.)

- a. A grantee institution seeking a review with respect to an adverse determination described under 6, above, must submit a request in writing for review to the ADERT, NIH, no later than 30 days after the postmark date of the written notification of such determination. The ADERT may grant an extension of time if good cause is shown. Where the adverse determination results from failure of an NIH official to respond to a grantee's request within a reasonable time as specified in section 6 b.(2), the grantee's request for review must be postmarked no later than 90 days after the date the grantee originally requested permission to incur an expenditure.
- b. Although the request for review need not follow any prescribed form, it must contain a full statement of the grantee's position with respect to the disputed matter and the facts and reasons in support of this position. Except for a determination described in 6 a.(4), the grantee will attach to this submission a copy of the notice of adverse determination.
- c. When a request for review of a determination described in 6 a., has been filed, no further action may be taken by the NIH pursuant to the adverse determination until such request has been disposed of, except that the filing of a request for review shall not affect the authority which NIH may have to suspend assistance, withhold or defer payments under the grant during the review procedure.
- d. Upon receipt of such a request, the ADERT or his designee will immediately notify in writing the chief extramural programs officer of the responsible Bureau, Institute, or Division (BID) with a copy of the notification to the BID Director. In the case of an appeal of an audit determination, the Director, Division of Contracts and Grants, NIH, will be notified. The grantee will also be informed that his appeal is under review.
- e. The NIH component involved will provide the NIH review committee with copies of all background materials needed to properly review the case.

- f. Both grantee and NIH staff may be invited by the review committee to discuss pertinent issues or to submit such additional information as is deemed necessary.
- g. As soon as practicable following its review, the committee will prepare a response to the grantee for the signature of the chairman. Copies of the response will be sent to the Director and chief extramural programs officer of the BID involved, or in the case of audit determinations to the Director, Division of Contracts and Grants, NIH.
- h. All proceedings shall be adequately documented and retained in NIH files. Such material shall be available to the DHEW Appeals Board in case of a formal appeal.

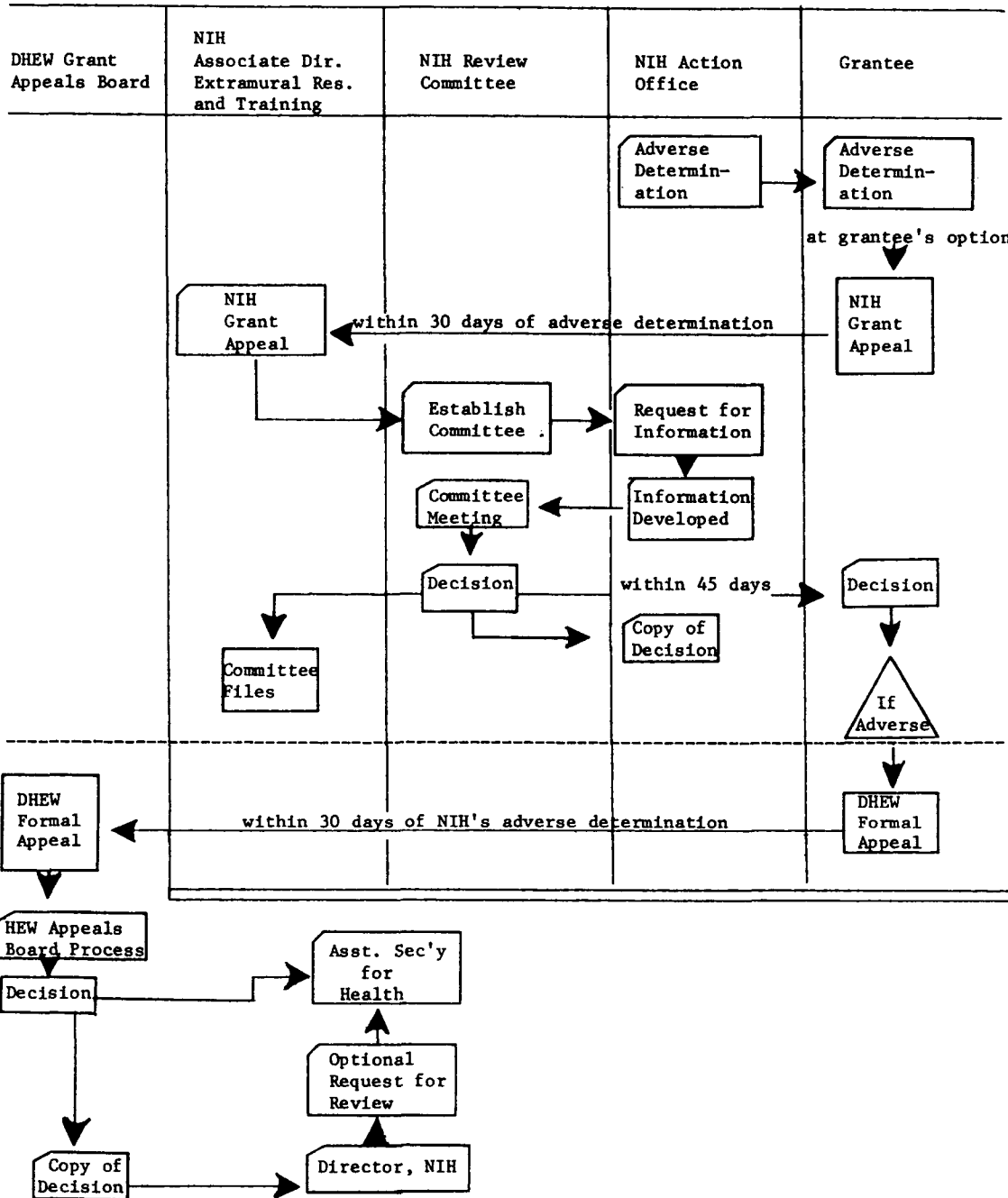
9. DHEW APPEALS PROCEDURE

- a. Part 16 of Title 45 of the Code of Federal Regulations establishes the criteria and procedures for appealing adverse decisions concerning the administration of grant awards made by the Department of Health, Education, and Welfare. The regulation, effective for any determinations made on or after May 21, 1973, was published in the Federal Register dated April 20, 1973, pp. 9906-9910.
- b. Grantees desiring to appeal an adverse decision by the National Institutes of Health may do so by requesting a review in writing. The request for review must be postmarked no later than 30 days after the postmarked date of the adverse decision and be addressed to the Executive Secretary, Grant Appeals Board, 330 Independence Avenue, S.W., Washington, D.C. 20201. The request for review must clearly identify the question(s) in dispute and contain a full statement of the grantee's position with respect to such question(s) and the pertinent facts and reasons in support of the appeal.
- c. The DHEW Grant Appeals Board upon completion of its deliberations will send an initial written decision to the grantee and the Director, DGC, OASH. Copies will be sent to the Director, NIH; the Secretary; and the Assistant Secretary for Health (ASH).
- d. The Director, NIH, and the grantee may in writing, within the time period specified by the DHEW Grant Appeals Board, request the ASH to review the initial decision. The initial decision becomes final within 25 days unless the Secretary is notified.
- e. If, as a result of his review, the Assistant Secretary for Health decides to modify or reverse the initial decision of the DHEW Panel, he must notify the Secretary of the basis for his action. The decision will not be transmitted to the grantee until 30 days after the notice is sent by ASH to the Secretary. The decision becomes final only when served on the grantee.

10. EFFECTIVE DATE This policy is effective on date of release.

FLOW CHART
 NIH GRANT APPEALS PROCEDURE

Attachment



NATIONAL RESEARCH SERVICE AWARDS

FOR

INSTITUTIONAL GRANTS

DIVISION OF NURSING

ANNOUNCEMENT

Under authority of Section 472 of the Public Health Service Act as amended (42 USC 2891-1), the Division of Nursing (DN) awards grants to eligible institutions to develop or enhance postdoctoral and selected predoctoral research training opportunities for individuals, selected by the institutions, who are interested in careers in nursing research and related behavioral and biomedical research. Such research may include and need not be limited to the following: life styles, behavioral patterns, and cultural beliefs which promote wellness and prevent illness; chronicity; needs and problems of high-risk groups; therapeutic strategies and treatment outcomes; consent to therapy and other ethical issues. Title 42 of the Code of Federal Regulations, Part 66, is applicable to these awards.

Receipt dates for National Research Service Award-institutional grant applications are February 1, June 1, and October 1. Awards are subject to legislative authority and the availability of funds. From time to time announcements will be made of areas in which research is particularly encouraged.

Domestic nonprofit private or non-Federal public institutions in the U.S. and its territories may apply for grants to support training programs in a proposed research area. Predoctoral and postdoctoral trainees may be supported if either or both level(s) of training are justified in and approved on the basis of the application. The applicant institution must have, or be able to develop, the staff and facilities required for the proposed programs. The training program director at the institution will be responsible for the selection and appointment of trainees to receive National Research Service Awards and for the overall direction of the program.

The proposed program must encompass supervised nursing research and related research training in the area of study selected and offer opportunity for research training leading toward the research degree, or in the case of postdoctoral study, opportunity to broaden the nurse's scientific background.

National Research Service Awards (NRSA) are not made for study leading to the M.D., D.O., D.D.S., or other similar professional degrees. Neither will these awards support non-research clinical training.

APPLICATION MATERIAL Application materials may be obtained from:

Nursing Research Branch
Division of Nursing, BHM, HRA
Room 3-50, Center Building
3700 East-West Highway
Hyattsville, Maryland 20782

If a self-addressed gummed mailing label is enclosed in the request for kits, it will expedite handling.

Prior to completing an application, applicants are urged to contact Dr. Marie J. Bourgeois at the above address or by telephone at (301) 436-6204 to discuss any questions. The DN should be contacted concerning inclusion of predoctoral training, the compatibility between institutional training and DN training aims, and/or waiver of the three-year limit on NRSA support.

Following is the schedule for receipt of NRSA institutional grant applications:

<u>Receipt Date</u>	<u>Final Review Date</u>
February 1	September/October
June 1	January/February
October 1	May

The start date for institutional grants will be July 1.

REVIEW AND SELECTION NRSA institutional grant applications are subject to both peer review for scientific merit and programmatic merit and to final review by the National Advisory Council on Nurse Training. The applications will be evaluated on the basis of the qualifications of participating faculty, the proposed research training objectives and program design, previous training record of the program and its ability to attract high caliber students, institutional commitment, facilities and environment, and relationship of the proposed program goals to the research areas. Applicants are advised after the final review by either an award or by a letter from the awarding unit.

GENERAL PROVISIONS

ELIGIBILITY REQUIREMENTS Individuals appointed as trainees on the grant must be citizens or non-citizen nationals of the United States, or have been lawfully admitted to the United States for permanent residence and have in their possession an Alien Registration Receipt Card (I-151) at the time of appointment. A non-citizen national is a person who, although not a citizen of the United States, owes permanent allegiance to the United States. They are generally persons born in lands which are not states, but which are under United States sovereignty, jurisdiction, or administration (e.g., American Samoa). Individuals on temporary or student visas are not eligible. All applicants must be registered professional nurses with active licensure. An individual at the predoctoral level must have a baccalaureate and/or master's degree in nursing and be working toward

the doctorate as of the date of appointment to the approved training program. An individual at the postdoctoral level must have a baccalaureate and/or master's degree in nursing and have received, as of the date of appointment to the approved training program, a doctoral degree (such as Ph.D., D.N.Sc., Sc.D., Dr. P.H., Ed. D.) or equivalent domestic or foreign degree, all of which must be in an area relevant to the proposed research.

STIPENDS AND OTHER TRAINING COSTS Stipends and allowances requested will be in accordance with the following: for predoctoral trainees, an annual stipend of \$3,900 for individuals at all levels; for postdoctoral trainees, the stipend level for the first year is determined by the number of years of prior relevant postdoctoral experience at the time of initial appointment. Relevant experience may include teaching, research, clinical and/or administrative nursing, or other time spent in a health-related field at a level beyond that of the qualifying doctoral degree. The stipend for each additional year of support is based on the level of the first year plus \$400 for each additional year under the NRSA.

Postdoctoral Stipends

<u>Years of Relevant Experience at Time of Initial Appointment</u>	<u>Year of NRSA Support</u>		
	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>
0	\$10,000	\$10,400	\$10,800
1	10,800	11,200	11,600
2	11,500	11,900	12,300
3	12,200	12,600	13,000
4	12,800	13,200	13,600
5 or more	13,200	13,600	14,000

In addition to stipends, the institution may request tuition and fees (including appropriate medical insurance), and travel for trainees, actual indirect costs or 8% of allowable direct costs (whichever is less), and up to 25% of the total award for costs deemed essential to carry out the NRSA training program such as salaries, equipment, research supplies, staff travel, etc.

No allowance for dependents is provided. No allowance is provided for the cost of travel between the trainee's place of residence and the training institution.

PERIOD OF SUPPORT Awards for institutional grants may be made for project periods of up to 5 years. However, no individual may receive more than 3 years of support in the aggregate from a National Research Service Award. Any exception to this requires a waiver from the Division of Nursing based on review of justification from the trainee and the grantee institution.

CONDITIONS OF AWARD No trainee will be appointed unless a Statement of Appointment form and a signed Payback Agreement indicating his or her intent to meet the service or payback provisions required under the law have been submitted to DN. Trainee appointments are made for full-time research training and research. Trainees may utilize some of their time in academic studies and clinical duties if such work is closely related to their research training experience.

A NRSA may not be held concurrently with another Federally supported fellowship or similar Federal award which provides a stipend or otherwise duplicates provisions of the NRS Award. NRSA recipients may, however, accept concurrent educational remuneration from the Veterans Administration (e.g., G.I. Bill) and loans from Federal funds.

Supplementation of the NRSA stipend from non-Federal funds is permitted. Other Federal funds may be used for supplementation only if explicitly authorized by the program from which such funds are derived. No NIH, ADAMHA, or DN grant funds may be used for supplementation. This is not intended to discourage in any way the use of Federal loan funds. This additional support may be provided without obligation by the trainee or may be conditioned on his or her performance of certain services such as teaching or serving as a research assistant. Under no circumstances, however, should the service requirements detract from or prolong the training. Within two years after completion of NRSA support, recipients of NRS Awards are to engage in continuous health related research or teaching or any combination thereof which is in accordance with usual patterns of academic employment for a period equal to the period of support. Alternatively, if the Secretary, DHEW, determines there are no suitable health research or teaching positions available to the individual, the following may be authorized: (1) service in the National Health Service Corps, (2) service in his or her specialty in a geographic area designated by the Secretary, or (3) service in his or her specialty in a health maintenance organization serving a medically underserved population.

For individuals who fail to fulfill their obligation through service, the United States is entitled to recover an amount equal to the total stipend received plus interest. The amount is computed in accordance with a formula which gives only one-half credit to each month of service when the total payback obligation is not completely fulfilled through service. Interest on the amount begins and is at the rate fixed by the Secretary of the Treasury considering private consumer rates which prevail on the date the United States becomes entitled to such amount. Payment must be completed within three years from that date.

By Federal Regulation, there are certain conditions under which the Secretary, HEW, may extend the period for undertaking service or for repayment, permit breaks in service, or to otherwise waive or suspend the payback obligation of an individual where enforcement of the obligation would involve extreme hardship or be against equity and good conscience.

Trainees are not entitled to vacations, as such, although those at academic institutions may take the holidays at Christmas, in the spring, etc., and the short period between semesters or quarters. The time between a summer session and a fall semester is considered an active part of the training period. Those at non-academic institutions are entitled to the normal holiday and vacation periods of the institution.

TAXABILITY OF STIPENDS The Internal Revenue Service has ruled that NRS Awards are not excludable from gross income. (IRS Bulletin No. 1977-36, dated September 6, 1977.)

Criteria for Review of Applications for Individual Predoctoral and Postdoctoral Nurse Fellowships under the Division of Nursing's National Research Service Awards are available upon request from:

Nursing Research Branch
Division of Nursing, BHM, HRA
Room 3-50, Center Building
3700 East-West Highway
Hyattsville, Maryland 20782