

**CONTENTS**

**CHAPTER 6. MERIT REVIEW APPEAL PROCESS**

<b>PARAGRAPH</b>	<b>PAGE</b>
6.01 General .....	6-1



**CHAPTER 6. MERIT REVIEW APPEAL PROCESS****6.01 GENERAL**

a. The Medical Research Service has a mechanism for formal appeal from decisions of the Merit Review Boards. A principal investigator whose entire Merit Review research program was disapproved or received a priority score that precluded funding may, with approval of medical center Director, submit a formal appeal which will be reviewed by VA Central Office Appeals Committee.

b. The appeals process gives principal investigators an opportunity to have their concerns about the review re-examined by individuals who were not involved in the initial review decision. It provides a mechanism to redress some of the possible shortcomings inherent in the peer review system, including errors caused by VA staff or by the reviewers. The appeals process is designed to uncover factual or scientific errors, but not to resolve differences on scientific points of view between the applicant and the reviewers. The appeals process is not intended to adjust funding decisions or to circumvent the peer review process.

c. The basis for appeal must focus on the consensus recommendations of the particular Merit Review Board and may be made when, in the opinion of the investigator, the scientific review was deficient because the Board did not have sufficient expertise to review the proposal or the Board showed serious indication of bias, did not understand the research plan, missed relevant points, or seriously misunderstood or misinterpreted critical elements of the research proposal.

d. The Summary Statement of the Merit Review Board's consensus is the only basis for appeal. The individual reviews may not be used as the basis for appeal unless the Summary Statement specifically refers the investigator to a review for additional comments or criticisms. If the investigator believes that the review was tainted by bias, such claim may be presented by evidence other than the Summary Statement.

e. All information contained in the appeal must have been part of the original proposal. Data obtained since the original review, additional information or review, and letters of support may not be included.

f. The appeal letter must be no longer than five single spaced pages of 10.5 to 12 point type or its equivalent, and must be signed by the principal investigator and the ACOS for R&D.

g. The following are excluded from the appeals process:

- (1) Supplemental applications;
- (2) Disapproved parts of multi-project proposals;
- (3) Priority scores and duration and amount of funding of approved funded programs;
- (4) Site visit reviews;
- (5) Research Advisory Group proposals; and
- (6) Career Development applications.

- h. Once the Appeals Committee reaches a decision it has the following options:
  - (1) Accept the decision of the initial review board;
  - (2) Sustain the investigator's appeal and provide an amended priority score and level of funding;
  - (3) Recommend another review of the proposal by the same or another Board;
  - (4) Recommend a site visit; or
  - (5) Recommend that additional ad hoc reviewers provide a final recommendation.
- i. The appeal must be reviewed and approved by the local Research and Development Committee (and/or the Eastern or Western Research and Development office), the ACOS for R&D, and the medical center Director. **Forward nine copies of the appeal information to the Director, Medical Research Service (151C4).**
- j. Deadlines for receipt of appeals in Medical Research Service are February 21 following the fall cycle of Merit Review and August 21 **following** the spring review cycle.
- k. The original proposal, the Summary Statement, the appeal letter and any additional review deemed necessary by Medical Research Service will be considered by the Medical Research Service Appeals Committee. In addition, one extramural reviewer will submit a critique to the Appeals Committee.
- l. The Appeals Committee is composed of seven VA scientists who serve overlapping 3-year ten-ns.
- m. Questions regarding the appeals process may be directed to Staff Assistant, Medical Research Service (151C4).