

2012 NIH Grants Management Update

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Agenda

- Highlights from the 2012 NIH Spring Update
- Policy Reminders
- Questions and Answers Session

2012 NIH UPDATE

NIH Budget News

- President Obama signed into law H.R. 2055, the Consolidated Appropriations Act, 2012 on December 23, 2011.
 - Appropriates \$30.7 billion to NIH for FY2012;
 - Increase of less than 1% from FY 2011;
 - Reduces the salary cap to \$179,700 for all NIH grants;
 - Apply Executive Level (EL) II prospectively to all awards that were issued on or after the bill was signed (12/23);
 - Awards issued on or before 12/22, EL-I still applies for FY 2012—**only**. Future years must be adjusted to reflect EL-II.



More at: <http://officeofbudget.od.nih.gov/br.html>

NIH FY 2012 Fiscal Policy for Grant Awards

- FY 2012 Funding Levels: Non-competing awards will be issued without cost of living/inflationary adjustments.
- Inflationary Increases for Future Years: Will be discontinued for all competing and non-competing research grant awards issued in FY 2012.
- Overall effort is to keep average size of grants consistent to the FY2011 levels or lower.
- NRSA / Graduate Students: NIH will implement a two percent increase at all stipend levels.
- Salary Limits: Applies Executive Level II.
- Additional Information: Additional details on Fiscal Operations, including specific funding strategies for ICs will be posted at <http://grants.nih.gov/grants/financial/index.htm>

More at: [NOT-OD-12-036](#)



NIH Salary Cap News

- Prior year awards (awards made in FY 2011, 2010, etc) are not impacted. No adjustments required;
- If the President signs a CR for any part of FY 2013, unless legislative language provides otherwise, the EL-II salary cap will apply regardless of what level was applied in FY 2012;
- Where applicable, grantees will be allowed to rebudget in an effort to accommodate the new salary cap limitations.
- Salary cap does not apply to payments made to consultants under a grant;
- Salary cap does apply to subawards/contracts for substantive work under a NIH grant;
- See Frequently Asked Questions website at http://grants.nih.gov/grants/policy/fy2012_salary_cap_faqs.htm

More at: [NOT-OD-12-035](#)



How will the NIH Fiscal Policy Impact Your FY2012 WETP Award?

- Unless otherwise instructed, your progress report requested budget should equal the Total Cost committed on your FY2011 Notice of Award for this year.
- Out-year commitments will be revised to remove inflation, if applicable.
- If you have not started your progress report budget, use the Executive Level II Salary Cap (\$179,700) on your budget request. If you have already prepared your budget request, do not worry- NIH will allow you to rebudget to meet the policy limits after the award is made.
- Use the 2012 NRSA Guidelines to determine the graduate student compensation limits.

FY2013 President's Budget

- Requests 30.9 billion for NIH; same as FY2012
- From the HHS FY2013 Budget in Brief:
 - Continued focus on resources for young, first time researchers
 - Continued exclusion of inflationary allowances
 - Reduce non-competing continuation grants by 1% below FY2012 level
 - Manage competing awards to avoid growth in average award size
 - Provide consideration by IC Advisory Councils of awards to PD/PIs with existing grants of \$1.5 million or more in Total Costs



Closing out the Era of ARRA

- Timely Quarterly and Closeout Reports Required
 - All standard closeout documents apply to ARRA funded awards (Final Progress Report, Final Invention Statement, Final FFR), even if ARRA funded a Supplement to a non-ARRA parent;
 - Financial closeout requirements for multiple ARRA supplements: [NOT-OD-10-066](#).

More at: <http://www.grants.nih.gov/recovery/>



Accelerating Unspent ARRA Awards

OMB Memorandum M-11-34

- Issued 9/15/2011, directs agencies to assure ARRA funds are spent by 9/30/2013 and to “revise the terms of Recovery Act discretionary grant agreements, to the extent permitted by law, **to provide for reclamation of funds that remain unspent after September 30, 2013**, absent a waiver issued by OMB pursuant to this memorandum.”
- NIH issued on December 13, 2011, [NOT-OD-12-014](#), Notice of Revised Term of Award for All Recovery Act Awards to Ensure Project Completion by September 30, 2013.
- At this time NIH has not determined the need to request for waiver requests from OMB. NIH continues to strongly encourage grantees to accelerate expenditures for all active Recovery Act grants regardless of the current or projected project period end date.

Financial Conflict of Interest (FCOI) Regulations

- 42 CFR Part 50 Subpart F (grants and cooperative agreements); 45 CFR Part 94 (contracts)

Initial Regulation effective October 1, 1995

- http://grants.nih.gov/grants/compliance/42_CFR_50_Subpart_F.htm

Revised Final Rule published on August 25, 2011

- <http://www.gpo.gov/fdsys/pkg/FR-2011-08-25/pdf/2011-21633.pdf>
- (Note: FCOI regulations do not apply to Phase I SBIR grantees, but do apply to Phase II)

- All Institutions must implement the changes by August 24, 2012.

Major Changes to the FCOI Regulations

- Significant Financial Interest (SFI)
 - Minimum threshold of \$5,000 generally applies to payments **and** equity interests (down from \$10,000);
 - Includes **any** equity interest in non-publicly traded entities;
 - Exclusions include income from seminars, lectures, or teaching, and service on advisory or review panels for government agencies, Institutions of higher education, academic teaching hospitals, medical centers, or research institutes affiliated with an Institution of higher education;
 - Excludes income from investment vehicles, such as mutual funds and retirement accounts, as long as the Investigator does not directly control the investment decisions made in these vehicles.



Major Changes to the FCOI Regulations (cont'd)

Investigator Disclosure:

- All SFIs related to Investigators' institutional responsibilities;
- Institutions responsible for determining whether SFIs relate to PHS-funded research and are financial conflicts of interest (FCOI)

Reporting to PHS Awarding Component (NIH):

- Previous requirements, (grant/contract number, name of PD/PI, name of Investigator with FCOI) and:
 - Name of the entity with which the Investigator has a FCOI;
 - Value of the financial interest;
 - Nature of FCOI, e.g., equity, consulting fees, honoraria;
 - A description of how the financial interest relates to PHS-funded research and the basis for the Institution's determination that the financial interest conflicts with such research;
 - Key elements of the Institution's management plan.



Reporting FCOIs to the NIH eRA Commons

- FCOI reports for NIH grants and cooperative agreements must be submitted using the eRA Commons FCOI Module;
- Once the Institution is required to be in full compliance with the regulatory requirements, the additional reporting requirements must be met;
- Commons FCOI Module being updated
- If the FCOI Module is not updated by the time this occurs, the FCOI report should include an attachment with the minimum elements of the FCOI report as provided in 42 CFR 50.605(b)(3). Existing FCOI Module will accommodate this uploaded material.

Major Changes to the FCOI Regulations (cont'd)

- Public Accessibility

- The Institution's FCOI policy must be made available via a publicly accessible Web site. If the Institution does not have any current presence on a publicly accessible Web site, the Institution shall make its written policy available to any requestor within five business days of a request;
- Before spending funds for PHS-supported research, an Institution shall ensure public accessibility of information on certain SFIs that the Institution has determined are related to the PHS-funded research and are FCOI, via a publicly accessible Web site **or** by a written response to any requestor.

- Investigator Training

- FCOI training required for Investigators before engaging in PHS-funded research, every four years thereafter, and immediately under designated circumstances.



New FCOI Reporting Requirements

- Annual FCOI reports
 - Update status of existing FCOI
 - Describe changes to management plan
- Mitigation Reports will only be submitted when the Institution has determined that any NIH-funded research, or portion thereof, was biased in the design, conduct or reporting of the research.

Got FCOI Questions?

Mailbox for inquiries

FCOICompliance@mail.nih.gov

OER FCOI Web Site

<http://grants.nih.gov/grants/policy/coi/>

FAQs posted on 9/30/2011. See NIH Guide Notice [NOT-11-121](#)



Revised Multiple-PD/PI Policy Allows PD/PI Change with Prior Approval

- Revised policy acknowledges that it may not be essential to require peer review to change from single- to multiple-PD/PI award, or from a multiple- to single-PD/PI award;
- Requires a prior approval request sent to the IC GMO by the AOR;
- Justification must be based on scientific needs of the project; request will not be considered if based on administrative convenience;
- Revised policy is consistent with prior approval requirements for a change in PD/PI (see Grants Policy Statement, Section 8.1.2.6);
- Guide NOT-OD-11-118 specifies the information to be included in the prior approval request;
- Change may not be implemented without GMO approval and revised NoA.

More at: [NOT-OD-11-118](#)

Mandating Use of the Commons to Submit No-Cost Extension Notifications

- Effective October 1, 2011, NIH required grantees to use the No-Cost Extension feature in the eRA Commons to notify NIH when they exercise their one-time authority to extend, without additional funds, the final budget period of a grant.
 - Once the eRA Commons link is closed, such an action becomes a prior approval request and must be submitted for consideration to the Grants Management office of the NIH awarding component;
 - Link opens 90 days before project end date;
 - Contact your Grants Specialist if you feel there is a problem with the link being open.

More at: [NOT-OD-11-098](#)



New HHS Policy on Efficient Spending

- New HHS policy modifies grantee use of NIH funds for conferences, meetings, food, promotional items, and printing and publications.
 - Applies to NIH Grants and Cooperative Agreements where the primary purpose of the grant is to support a Conference and/or Scientific Meeting (i.e. R13s and U13s);
- Implications for Grants
 - Effective with awards issued on or after 01/27/12, a new term and condition prohibiting food/meal costs from being supported by or charged to NIH-supported conference grants will be included on all competing and noncompeting NIH R13 and U13 awards: “Direct charges for meals/food and beverages are unallowable charges to this project.”
- More at: [NOT-OD-12-041](#) and [NOT-OD-12-048](#)



Research Performance Progress Report (RPPR)

- OMB mandated format standardizes interim reports by grantees to agencies;
- NIH will implement as a module in Commons;
- Will use standard fed-wide questions and NIH-specific elements;
- Will replace the PHS 2590 and 416-9;
- Initial pilot, with limited institutions, to begin April 2012;
- Anticipate full use of RPPR in the Fall of 2012, for SNAP awards.

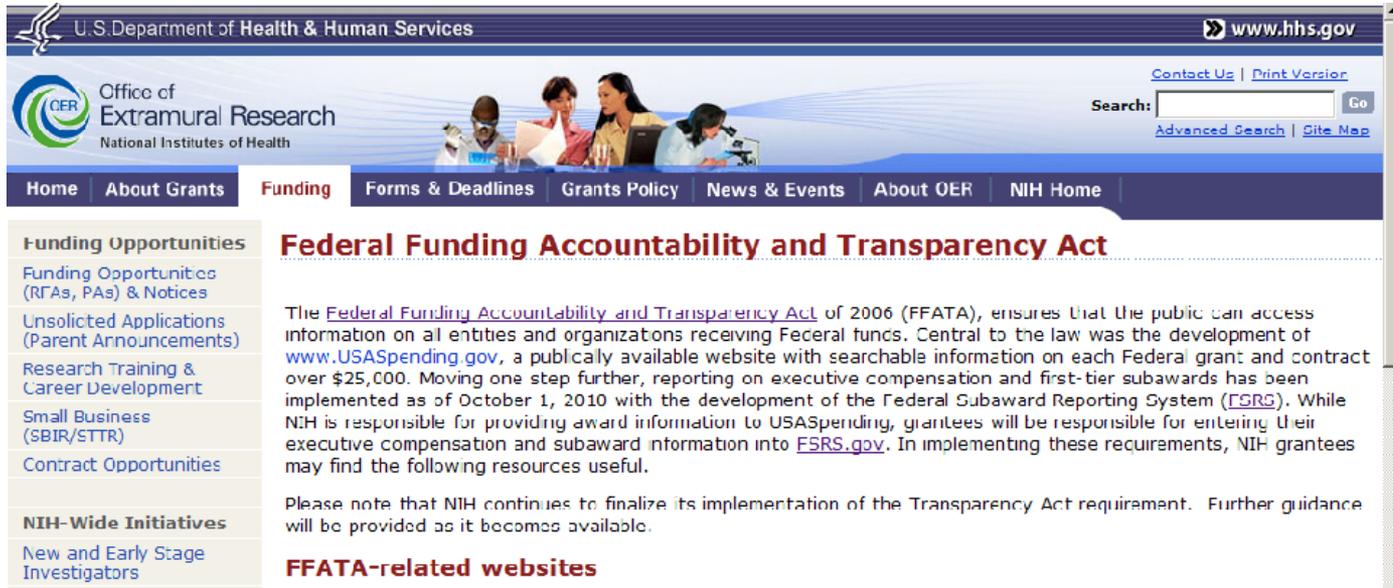
More at: <http://www.nsf.gov/bfa/dias/policy/rppr/index.jsp>



OMB Notice on Potential Reforms to Federal Grants Policy

- Published in Federal Register 2/28/2012:
<http://www.gpo.gov/fdsys/pkg/FR-2012-02-28/pdf/2012-4521.pdf>
- Includes ideas that would standardize information collection, adopt a risk-based model for single audits, & provide new administrative approaches for determining & monitoring allocation of Federal funds
- Ideas of Interest:
 - Exploring time & effort reporting alternatives
 - Charging allocable admin support costs directly
 - Including computing device costs as allowable direct costs
 - Consolidating cost principles into single document
 - For F&A costs, using flat rates instead of negotiated rates

Need Assistance with the NIH FFATA Requirements?



The screenshot shows the NIH FFATA website. At the top, it says "U.S. Department of Health & Human Services" and "www.hhs.gov". Below that is the "Office of Extramural Research" logo and a search bar. A navigation menu includes "Home", "About Grants", "Funding", "Forms & Deadlines", "Grants Policy", "News & Events", "About OER", and "NIH Home". The main content area is titled "Federal Funding Accountability and Transparency Act" and contains text explaining the act and providing resources. A sidebar on the left lists various funding opportunities and initiatives.

- Visit the NIH FFATA/Public Accountability Web Page
 - http://grants.nih.gov/grants/public_accountability/ffata.htm
 - Includes Frequently Asked Questions
- Send your NIH-specific questions by e-mail to TransparencyActReporting@mail.nih.gov



Update on eRA Commons: Streamlining Delegations

- New Delegation Tab added to Commons;
- Found on the Admin tab after logging into eRA Commons;
- Allows scientists to delegate administrative tasks;
 - Status;
 - Progress Reporting;
 - Publications;
 - And more.
- SOs will be able to delegate authority from the *Delegate Progress Report* and *Delegate Sponsor* links on their *My Delegates* screen

Update on eRA Commons: Password Reminder

- Password policy
 - eRA Commons passwords now expire every 90 days;
 - Change was *required* for compliance with security policies;
 - Details of the password policy:
http://era.nih.gov/files/NIH_eRA_Password_Policy.pdf

Electronic Administrative Supplements

- Electronic submission of admin supplement pilot began February 1, 2012.
 - Optional for all single project grantees
 - Complex, multi-project grants not included in pilot;
 - Parent FOA PA-12-100 used for submission
 - Can submit through the eRA Commons
 - To take advantage of pre-population of fields;

OR

- Can submit through Grants.gov
 - For institutions who have built systems to interact directly with Grants.gov.
- Contact IC or review IC web site before submitting

See: [NOT-OD-12-024](#)



Electronic Submission for Organization Changes

- An electronic business process for post-award Change of Grantee Institution (T-7s) and Successor-in-Interest (T-6) applications
- Paper-based process still allowable
- Grantees should discuss potential organization changes with the awarding IC prior to submitting application

Electronic Submission for Organization Changes (cont.)

- April 2012 pilot for post award actions
- Process:
 1. Old institution submits relinquishing statement through the Commons.
 2. New institution receives notification of relinquishing statement from the Commons.
 - Open to all institutions
 3. New institution submits application through Grants.gov
 - Uses new change of grantee application parent FOA
 - Available for applications currently submitted through Grants.gov
 - Selects appropriate application package from parent FOA for the activity code

Who to Contact for Grants Information:

- General Application Questions:
 - E-Mail: GrantsInfo@nih.gov
 - Phone: 301-435-0714
- Grants.gov Customer Support:
 - E-Mail: support@grants.gov
 - Webpage: <http://grants.gov/>
 - Phone: 800-518-4726
- eRA Commons Helpdesk:
 - Webpage: <http://ithelpdesk.nih.gov/era/>
 - Phone: 301-402-7469 or 800-504-9552

Division of Grants Policy:

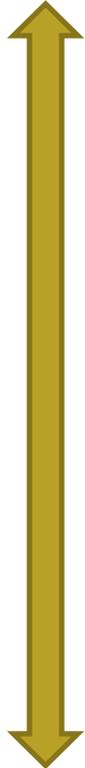
- E-Mail: GrantsPolicy@mail.nih.gov
- Phone: 301-435-0949

Division of Grants Compliance & Oversight:

- E-Mail: GrantsCompliance@mail.nih.gov
- Phone: 301-435-0949

POLICY REMINDERS

Due Dates for WETP Program



- BUDGET START DATE
- FFR Due - 90 days following the calendar quarter end of the previous budget end date
- Carryover Requests due – at least 5 months prior to Budget End Date
- Progress Report Due - 60 days prior to Budget End Date (45 days for any awards under eSNAP.)
- BUDGET END DATE

Non-Competing Continuation Progress Reports

- Failure to submit complete and timely progress reports may affect future funding to the organization;
- Non-SNAP annual progress reports are due two months prior to the anniversary date (paper submission);
- SNAP progress reports (e-SNAP) are due 45 days prior to the anniversary date (electronically submitted through eRA Commons eSNAP Module);
- All grantees have access to a searchable list to determine which progress reports are due at: http://era.nih.gov/userreports/pr_due.cfm

Prior Approvals

- Prior Approval Requests must be submitted by an Authorized Institutional Signing Official to the NIEHS Grants Management Specialist.
- The following are some issues that require Prior Approval:
 - Deviations from Award Terms and Conditions (e.g. – changing consortium partners)
 - Carryover of Unobligated Balances
 - Change of Scope (e.g. – significant rebudgeting of > 25%; change in human subject activities)
 - Reduction of Effort by PI/Key Personnel by 25% or more
 - No-cost Extensions (beyond first 12 months)
- NIEHS tries to respond to all prior approval requests within 30 days of receiving all necessary information from the grantee.



Carryover Requests

A carryover request should include the following:

- A cover letter explaining why there is a balance, and what the intended use of funds is, countersigned by a Signing Official.
- A detailed budget and budget justification
 - Levels of effort must be stated for all salary requests
 - Separate budget breakdowns should be provided for each subproject
 - Separate budget breakdowns should be provided for each consortium involved
- A checklist page identifying any requested indirect costs

It may be helpful for you to categorize your unobligated balance and request in the following budget tables.



TABLE 1: BUDGET PERIOD _____ UNOBLIGATED BALANCE ANALYSIS

Category	NGA Award Amount (NA)	Supplements, if applicable (S)	Prior Years Carry-Over (PCO)	Total Awarded (NA+S+PCO)	Total Expenditure	Unobligated Balance	Explanation of Unobligated Balance
Salaries				\$ -		\$ -	
Fringe Benefits				\$ -		\$ -	
Total Personnel	\$0	\$0	\$0	\$0	\$0	\$0	
Consultant				\$ -		\$ -	
Equipment				\$ -		\$ -	
Supplies				\$ -		\$ -	
Travel				\$ -		\$ -	
Other				\$ -		\$ -	
Consortium A				\$ -		\$ -	
Consortium B				\$ -		\$ -	
Consortium C				\$ -		\$ -	
Consortium D				\$ -		\$ -	
Total Consortium	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Total Direct Cost	\$0	\$0	\$0	\$0	\$0	\$0	
List F&A Rate							
List Base							
Indirect Cost	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTAL	\$0	\$0	\$0	\$0	\$0	\$0	



**TABLE 2: PROPOSED BUDGET FOR CARRYOVER OF UNOBLIGATED BALANCE
FROM BUDGET PERIOD ____ TO BUDGET PERIOD ____**

Category	Amount
Salaries & Wages	
Fringe	
Personnel	\$ -
Consultants	\$
Equipment	\$ -
Supplies	\$
Travel	\$
Other	\$
Consortium Cost	\$ -
Total Direct Costs	\$ -
Indirect Cost	\$ -
list F&A rate & base in box below	
TOTAL	\$ -

formulas

Justification/Explanation



Reasons why Carryover Requests are Rejected:

- The prior year Federal Financial Report (FFR) must be received and approved by NIH first.
- The request was not signed by an authorized institutional signing official.
- Requested costs appear to duplicate costs in the current year's award (e.g. extra salary for someone already at 12 months of effort).
- All carryover funds must be spent in the budget period they are requested (so get your requests in early!)
- Carryover funds must be within the currently approved scope of the grant.
- Carryover requests should only reflect immediate needs (therefore, try to avoid salary for "TBN" positions).



Closeout : Final Reports

*Grantees are **strongly encouraged** to submit closeout documents electronically through the eRA Commons!*

- Failure to submit timely reports may affect future funding to the organization;
- Documents are due within 90 days of project period end date:
 - Final Federal Financial Report (FFR) SF-425 Expenditure Data (submitted through eRA Commons);
 - Final Inventions Statement & Certification;
 - Final Progress Report;
- Grantees must ensure there are no discrepancies between the final FFR expenditure data (in eRA Commons) and the FFR cash transaction data in the Payment Management System.

Closeout : NIH Centralized Processing Center

- Centralized office accepts receipt of all non-financial, paper-based closeout documents;
 - Final Progress Report;
 - Final Invention Statement and Certification.
- If not using eRA Commons Closeout Module, mail closeout documents to the Central NIH unit at:

NIH Centralized Processing Center
6705 Rockledge Drive, Room 2207, MSC 7987
Bethesda, MD 20892-7987 (for regular or US Postal Service
Express mail)
Bethesda, MD 20817 (for other courier/express mail only)



Audit Requirements

All NIH Grantees that expend \$500,000 or more within a year in Federal awards are subject to an audit requirement.

- Audits are due within the earlier of 30 days after receipt of the auditor's report(s) or 9 months after the end of the grantee's audit period.
- Grantees delinquent in submitting audits risk the imposition of sanctions and potential loss of Federal funds.

Grantee Type	Source of Audit Requirement	Where to Submit Audit Reports
State & Local Governments Colleges & Universities Non-Profits Hospitals	OMB Circular A-133 45 CFR Part 74.26	Online to: http://harvester.census.gov/fac/collect/ddeindex.html Questions: 1-800-253-0696
For-Profits	45 CFR Part 74.26 (d)	HHS Office of Inspector General HHS Office of Audit Services National External Audit Review Center 1100 Walnut Street, Suite 850 Kansas City, MO 64106-2197 Phone: 800-732-0679/816-426-7720
Foreign	NIH GPS, uses 45 CFR Part 74.26(d)	(same as For-Profits)

Questions?

