



# GCAAlert!

Yale University  
Grant and Contract Administration  
Grant and Contract Financial Administration

Volume 4, Issue 1  
Week of September 14 – 18, 2009

## Alerts:

### • Update: NIH Public Access Policy Implementation

**“Failure to provide evidence of compliance with the NIH Public Access Policy in an application, proposal or report is a violation of the terms and conditions of the NIH award.”**

Grant & Contract Administration

47 College Street, Ste 203  
203-785-4689

155 Whitney Avenue,  
Room 214  
203-432-2460

Grant & Contract Financial Administration

155 Whitney Avenue,  
Room 230  
203-432-3060

## Update: NIH Public Access Policy Implementation

*Investigators funded by the NIH must submit or have submitted for them to the National Library of Medicine's PubMed Central an electronic version of their final, peer-reviewed manuscripts upon acceptance for publication, to be made publicly available no later than 12 months after the official date of publication: Provided, That the NIH shall implement the public access policy in a manner consistent with copyright law. ([NIH Public Access Policy](#)).*

Per NIH Notice Number [NOT-OD-09-136](#) dated August 12, 2009, *Clarification on the Use of an NIHMSID to Indicate Compliance with the NIH Public Access Policy*, award recipients are reminded that compliance with the [NIH Public Access Policy](#) is an institutional responsibility. Failure to provide evidence of compliance with the [NIH Public Access Policy](#) in an application, proposal or report is a violation of the terms and conditions of the NIH award. NIH may suspend awards found to be out of compliance, pending corrective action, or may terminate the award for cause (per 45 CFR 74.61, 74.62, and 92.43).

All NIH applications, proposals and reports must include evidence of compliance with the [NIH Public Access Policy](#) (as excerpted above), for all applicable papers that are authored by the Principal Investigator (PI) or arose from the PI's NIH funds. Applicable papers include any manuscript that is peer-reviewed and arises from:

- Any direct funding from an NIH grant or cooperative agreement active in FY08 or beyond, or;
- Any direct funding from an NIH contract signed on or after

- April 7, 2008, or;
- Any direct funding from the NIH Intramural Program, or an NIH employee

Below are four different submission methods for final manuscripts:

- Method A - The Journal deposits the final manuscript to PubMedCentral (PMC).
- Method B - The author requests that the publisher deposit the final published article in PMC.
- Method C - The author deposits final peer-reviewed manuscript in PMC via the NIHMS. The author or designee starts the process of submission, but it is the author who approves the paper for processing and publication and checks the publishing agreement to ensure compliance with copyright law.
- Method D - The author completes submission of the final peer-reviewed manuscript deposited by publisher in the NIHMS. Publisher starts submission process, but approval rests with PI.

NIH awardees are responsible for ensuring that all steps of the NIH Manuscript Submission (NIHMS) process are completed within three months of publication – regardless of which method is used for submission of the publication to PMC. It is also important to note that given the periodicity of the journal, the actual time for completion can be less than 3 months. The timeline is available in Notice [NOT-OD-09-136](#).

For all submission methods, the files are converted to a standard PMC format, and then reviewed by

the journal (Method A) or author (Methods B, C, and D) to confirm that the converted final peer-reviewed manuscript is faithful to the original. The NIHMS transfers the final peer-reviewed manuscript to PMC when it is ready to be made available publicly. Once the publication has been successfully submitted and approved for publication in PMC, an identification number is assigned and the citation is published in PubMed known as the PMID.

Notice [NOT-OD-09-136](#) also noted that many awardees were using temporary NIH Manuscript Submission ID (NIHMSID) reference numbers long after permanent PMIDs were assigned, to indicate compliance with the NIH Public Access Policy, which is clearly an improper use of the NIHMSID. Effective August 21, 2009, an NIHMSID may be used to indicate compliance with the [NIH Public Access Policy](#) for up to a **three-month period after the paper has been published**. After that period, a PMID must be provided to indicate compliance with the [NIH Public Access Policy](#). If an applicable paper is in press, or was published less than three months before the submission (date) of an application, proposal or report, a PMID or an NIHMSID must be included at the end of the full citation. However, if an applicable paper was published three or more months in advance of the NIH application, proposal or report is submitted, a PMID reference number at the end of the full citation for the paper must be included, as the NIHMSID would not be acceptable in this case.

Please contact your [GCA Team](#) with any questions.