



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO

Operating Policy and Procedure

HSCEP OP: 73.07, Integrity in Research and Allegations of Scientific Misconduct

PURPOSE: The purpose of this Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso) Operating Policy and Procedure (HSCEP OP) is to establish the guidelines and procedures to be followed concerning allegations of scientific misconduct.

REVIEW: This HSCEP OP will be reviewed by November 1 of every odd-numbered year (ONY) by the Managing Director of the Office of Research (OR), the Research Integrity Officer (RIO) or designee and the Associate General Counsel or designee, with recommendations for revisions forwarded to the Vice President for Research (VPR) or designee by November 30.

POLICY/PROCEDURE:

This operating policy sets forth Texas Tech University Health Sciences Center El Paso's (TTUHSC El Paso)'s responsibilities under Public Health Service (PHS) regulations codified at 42 C.F.R. 93 and National Science Foundation (NSF) Policy on research misconduct, 45 CFR 689.4. This policy applies to all individuals at TTUHSC El Paso engaged in research including any person paid by, under the control of, or affiliated with TTUHSC El Paso, such as scientists, trainees, technicians, and other staff members, students, fellows, residents, researchers or collaborators at TTUHSC El Paso.

This policy is implemented through [Attachment A, Guidelines and Procedures for Responding to Allegations of Research Misconduct](#).

The committees, and any sub-committees, established under this HSCEP OP and [Attachment A](#) hereto, shall each be considered a "medical committee" as defined under Texas Health & Safety Code, §161.031, and/or other applicable state and federal statutes. All documents generated by the committees, submitted to the committees, or created for the purposes of fulfilling committee duties are confidential and privileged and shall be identified as a "Confidential – Medical Committee Document".

This operating policy and attached guidelines do not apply to the following:

1. Authorship or collaboration disputes will be handled by the Dean of the School in which the individual involved in the dispute is appointed.
2. Research misconduct allegations that occurred more than six years at the time of receipt by TTUHSC El Paso or the Department of Health and Human Services (DHHS) is subject to the subsequent use, health or safety of the public, and grandfather exceptions in 42 CFR 93.105(b).
3. Allegations of research non-compliance which do not meet the level of research misconduct as defined in Section II of the attached Guidelines (Attachment A). Allegations of research non-compliance which are not covered by this policy will be reviewed in accordance with policies and procedures in effect for the relevant funding agency, [HSC OP 73.14](#) (Research Compliance) and/or the relevant

department.

4. Research misconduct does not include honest error or differences of opinion.
5. TTUHSC El Paso reserves the right to interpret, change, modify, amend or rescind this policy in whole or in part at any time without the consent of employees.