



UTMB and the NIH Public Access Policy

NIH Public Access Policy

The NIH Public Access Policy **implements** Division G, Title II, Section 218 of PL 110-161 (Consolidated Appropriations Act, 2008) which states:

SEC. 218. The Director of the National Institutes of Health shall require that all investigators funded by the NIH 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 in a Nutshell

- **Awardees required to submit to the PubMed Central (PMC) digital archive those *manuscripts* arising from NIH awards**
- **The policy does not apply to book chapters, editorials, reviews, or conference proceedings**

NIH Public Access Policy Goals

- **Ensure public access to the results of NIH funded research**
- **Increase the speed of scientific discovery**
- **Link published work to data sets in other NCBI* Entrez systems (Protein, Genome, Structure, etc.)**

***National Center for Biotechnology Information**

PubMed Central vs. PubMed

- **PubMed Central (PMC)** – the NIH digital archive of full-text, peer-reviewed journal articles. Its content is publicly accessible and integrated with other databases. Links to PMC are included in PubMed
- **PubMed** – provides access to citations from the biomedical literature, including over 17 million citations from Medline back to the 1950s. It includes links to full-text articles from PMC and publisher web sites and links to other databases.

PubMed Central vs. PubMed

- **PubMed Central has a PMC ID**
 - **PMCID: PMC1862644**
 - **The PMCID is also referred to as the PMC reference number**
- **PubMed has a PubMed Unique Identifier or PMID**
 - **PMID: 17174995**

PubMedCentral vs. PubMed

- **PMC IDs may be searched in PubMed by entering the number with the PMC prefix**
 - **PMC1862644**
- **PMIDs may only be searched in PubMed Central by entering the number followed by [pmid]**
 - **E.g. 17174995[pmid]**

Final Manuscript vs. Published Article

Submit the Final peer-reviewed manuscript

The Investigator's final manuscript of a peer-reviewed article accepted for journal publication, including all modifications from the peer review process (This is what you submit!)

Do not submit the Final published article

The journal's authoritative copy of the article, including all modifications from the publishing peer review process, copyediting and stylistic edits, and formatting changes

Important Dates

- **Monday, April 7, 2008**
 - Work arising from NIH funds must be submitted to Pub Med Central (PMC) *upon acceptance* for publication
 - Includes grants active in FY 2008 (i.e. Oct. 1, 2007) and in the future

Important Dates

- **Sunday, May 25, 2008**
 - **Subsequent NIH applications, proposals, and progress reports must include the PMC reference number when citing an article that falls under the policy**

Steps to Compliance

- 1. Upon proposal submission, sign and date the UTMB Non-Exclusive Public Access License document, retaining non-exclusive rights for you and UTMB to comply with the NIH policy**
- 2. Upon article submission for consideration for publication, include a copy of UTMB Non-Exclusive Public Access License document to inform publishers:**
 - work is funded by NIH**
 - retention by you/UTMB of the non-exclusive rights needed to comply with the NIH policy**

Steps to Compliance

3. Once manuscript is *accepted*, submit it to PMC using the “Set Delay” feature to determine date of public availability

Rights Notice:

<http://research.utmb.edu/osp/rightsnotice.doc>

Who is Responsible?

- **All Principal Investigators are responsible for ensuring that the terms and conditions of their award are met**
- **This includes the submission of articles that arise directly from their awards, even if they are not an author or co-author**

Who is Responsible?

- Principal Investigators should ensure that the investigators supported on their grants are ***aware of and comply with*** the NIH Public Access Policy
 - A special challenge for PIs of training grants, center grants, program projects, any grant where subcontracts are involved, etc.

Submission Notes

- **Manuscript needs to be submitted only once**
- **Submitters will be notified by the system if a manuscript is already there**
- **Multiple NIH award numbers can be assigned during submission process**

Submission Process

- **Very similar to process of electronically submitting a manuscript to journal**
- **Part of the NIH grants management system (eRA Commons) so the interface should be familiar**
 - **Help is available**
 - **Grant numbers can be associated with a manuscript with a simple click**

Submission Process

- **The submission process can be interrupted at almost any point and then resumed**
- **“Kill” feature in case of error/mishap**
- **According to NIH, takes less than 10 minutes to complete**

Submission Process – non-PMC Participating Journals

- **At the end of the submission process, a pdf file is generated that compiles into one document a submission receipt and all of the files uploaded (final manuscript, tables, figures, etc.)**

Submission Process – non-PMC Participating Journals

- **Authors should carefully check the integrity of the document created by the system from the composite files**
- **Remember in most cases you cannot use the publisher's pdf copy/proof copy**

Submission Process – non-PMC Participating Journals

- **After the submission process and the pdf version approved, the NIHMS sends the manuscript for conversion to its web version**
- **An email will be sent when the web proof is available for review**
- **As with the pdf version, check the integrity of the web version created by the system**

Submission Process – non-PMC Participating Journals

- **What the author submits and approves is archived!**
- **Once the web version is approved, a PMC reference number will be assigned**
Example: PMID: PMC1862644
- **PMC reference numbers are available on PubMed abstracts, even if the full-text is still under an embargo period**

Submission Process – PMC Participating Journals

- **The submission process is a little simpler if the journal accepting the article already participates in PMC**
- **Once grant numbers are associated with the manuscript title/journal, the NIHMS system will tell you that file submission is not required and that the journal will submit the files after any embargo period**

Submission Process – PMC Participating Journals

- pdf receipt is one page and again specifies that the journal will supply the files
- A list of PMC Participating Journals is available:
<http://www.pubmedcentral.nih.gov/fprender.fcgi>

Submission Process

- **Tutorials on the Submission Process available:**
- **<http://www.nihms.nih.gov/web-help/index.html>**

PMC Reference Numbers

- Remember, as of May 25, PMC reference numbers must be included at the end of the full citation when citing an article in NIH applications, proposals and progress reports
 - Applies to articles arising from grants awarded in FY 2008 and forward *and* are authored or co-authored *by you* or arose from *your* NIH award
 - If a PMC ID is needed for NIH applications, proposals and progress reports before the journal posts to PMC, you may state that PMC ID is not yet available

NIH Policy Friendly Journals

- **Since the right to place final manuscripts on PMC is retained upfront, it may be helpful to know if a journal complies with the NIH Public Access Policy before submitting a manuscript**

NIH Policy Friendly Journals

- **Consult journal's web page or instructions to authors**
 - Does it allow submission under the NIH policy?
- **Consult SHERPA/RoMEO web site**
 - Database of publisher copyright agreements/transfer of rights
 - Records contain “NIH Compliant” status

The Big Stick

If you do **not** comply, you risk

- Loss of current and future funding for the individual PI
- Loss of current and future funding for the institution

If you post an article to which you do not have sufficient rights, you face legal trouble from the journal/publisher

Contacts

General Questions or Help:

- **Linda Crumpler**
Office of Sponsored Programs

409-266-9431 or
lcrumple@utmb.edu

Publisher Problems or Copyright Questions:

- **Contact the Center for Technology Development**

409-772-7952 or
kaperuma@utmb.edu

Helpful Links

- **NIH Public Access Policy**
 - <http://publicaccess.nih.gov/>
- **NIH Manuscript Submission System (NIHMS)**
 - Includes submission tutorials
 - <http://www.nihms.nih.gov/>
- **NIHMS FAQ**
 - <http://www.nihms.nih.gov/faq.html>

Helpful Links

- **SHERPA/RoMEO**

- <http://www.sherpa.ac.uk/romeo.php>

- **PubMed Central Journals**

- <http://www.pubmedcentral.nih.gov/fprender.fcgi>

- **UTMB Research Services**

- <http://research.utmb.edu/osp/pubaccess.htm>

- <http://research.utmb.edu/osp/rightsnotice.doc>

- **Copyright - Moody Medical Library**

- <http://tiny.cc/librarycopyrightinfo>

Implementation

- **New Proposals**
- **New Awards**
- **Progress Reports**

New Proposals

- Routing form will ask if proposal is being submitted to NIH

PeopleSoft CON# _____ Project# _____ FRS# _____

Research Services Proposal Routing Form

*This Proposal Routing Form must be completed and submitted with all grant proposals and research contracts.
For information or assistance, contact the Office of Sponsored Programs (OSP) at extension 69400.*

Proposal Title: _____

Sponsor (Contract Entity): NIH Yes No: Other: _____

Agency Required Due Date: _____ **Date Type:** Postmark Receipt

Principal Investigator and Department Contact Information

	Name	Employee ID#	Phone Number
Principal Investigator	_____	_____	_____

Cont'd

- If yes, the “Non-exclusive Public Access License” form will appear
- Print and sign the “Non-exclusive Public Access License” document
- Route the document to OSP along as part of proposal submission process
- *The “Non-exclusive Public Access License” document will cover the entire competitive segment*

Non-Exclusive Public Access License

This Non-Exclusive Public Access License is made into and shall be effective as of the date of the signature below. The Principal Investigator, an employee of the University of Texas Medical Branch at Galveston, hereby agrees as follows:

1. Principal Investigator grants the University of Texas Medical Branch at Galveston the non-exclusive right to provide a copy of any final peer-reviewed manuscript that reports NIH-funded research, part or in whole as a result of this application, to the NIH upon acceptance of said manuscript for publication. As soon as possible but no later than 12 months after the official date of publication, the University of Texas Medical Branch at Galveston and Principal Investigator shall make said manuscript available to the public in PubMed Central, in accordance with NIH public access policy, Division G, Title II, Section 218 of PL 110-161 (Consolidated Appropriations Act, 2008).
2. Principal Investigator shall provide the following information (available to be submitted along with the manuscript submission, available at <http://research.utmb.edu/osp/rightsnotice.doc>) to publisher upon acceptance of any article for publication that reports on research supported by any grant that issues as a result of this application:

“The research reported in this manuscript was funded in whole or in part by NIH funding and is subject to the NIH public access policy, Division G, Title II, Section 218 of PL 110-161 (Consolidated Appropriations Act, 2008). The University of Texas Medical Branch at Galveston has previously obtained non-exclusive rights in this manuscript that allow the final peer-reviewed manuscript to be submitted to the NIH upon acceptance for publication, including all modifications from the peer review process, to be made available to the public in PubMed Central as soon as possible but no later than 12 months after the official date of publication.”

Agreed and accepted

Principal Investigator

Date

Notice to Publishers

Principal Investigator shall provide the Notice of Rights (available to be submitted along with the manuscript submission, available at <http://research.utmb.edu/osp/rightsnotice.doc>) to publisher upon acceptance of any article for publication that reports on research supported by this grant.

Notice of Rights

The research reported in this manuscript was funded in whole or in part by NIH funding and is subject to the NIH public access policy, Division G, Title II, Section 218 of PL 110-161 (Consolidated Appropriations Act, 2008). The University of Texas Medical Branch at Galveston previously obtained non-exclusive rights in this manuscript that allow the final peer-reviewed manuscript to be submitted to the NIH upon acceptance for publication, including all modifications from the peer review process, to be made available to the public in PubMed Central as soon as possible but no later than 12 months after the official date of publication.

For further information, please contact the Center for Technology Development at (409) 772-7953.

Cont'd

- **Language has been added to “Intent to Establish a Consortium” document**
 - **Places burden on collaborating institution for compliance with new policy**
 - **Will become a term of subcontract upon award**

Statement of Intent to Establish a Consortium Agreement

Dates:

Grant:

Application Title:

Total Proposed Amount:

Sponsor (grantee Institution): **The University of Texas Medical Branch at Galveston**

The appropriate programmatic and administrative personnel of each institution involved in this grant application are aware of the NIH consortium grant policy and are prepared to establish the necessary inter-institutional agreement(s) consistent with that policy.

Subcontractor certifies that site and principal investigator shall comply with 42 Code of Federal Regulations 50, Subpart F, Sections 50.601 to 50.607, responsibilities regarding conflicting interests of investigators.

Subcontractor further certifies that it will comply with NIH public access policy, Division G, Title II, Section 218 of PL 110-161 (Consolidated Appropriations Act, 2008) requiring that any final manuscript resulting from research sponsored by NIH be submitted to the NIH upon acceptance for publication, including all modifications from the peer review process, thereby being made available to the public in PubMed Central as soon as possible but no later than 12 months after publication.

**The University of Texas Medical Branch
at Galveston**

Subcontractor Institution

(Principal Investigator) Date
(Title)

(Principal Investigator) Date
(Title)

Toni D'Agostino Date
Director, Office of Sponsored Programs

(Name of Authorized Official) Date
(Title)

New Awards

- **The “Non-exclusive Public Access License” document will be requested upon receipt of new NIH awards (includes incoming subcontracts)**
- **The document must be received in OSP before project can be established**
- ***The Non-exclusive Public Access License will cover entire competitive segment***

Progress Reports

- **“Non-exclusive Public Access License” document will be captured with routing form as part of submission of Progress Report**