

PRATT'S GOVERNMENT CONTRACTING LAW REPORT

VOLUME 10

NUMBER 12

December 2024

Editor's Note: The Qui Tam Case Victoria Prussen Spears	375
Federal Judge Dismisses Qui Tam Case Based on Constitutional Concerns: Is the False Claims Act Qui Tam Era Coming to a Close? Thomas A. Coulter and Brian Stolarz	378
Small Business Administration Proposed Rule Would Enact Material Changes and Promote Regulatory Uniformity Across Size and Status Programs—Part I Olivia Lynch, Michael E. Samuels and Zachary Schroeder	381
Medicare Drug Price Negotiation Program: Centers for Medicare & Medicaid Services Releases New Discounted Prices for 2026 Selected Drugs Dorthula H. Powell-Woodson, Brooke M. DeLoatch and Jordan Ross	393
U.S. Department of Health and Human Services Announces Updates to Policies on Research Misconduct Summer H. Martin, Rebecca J. Merrill and Dan M. Silverboard	396
In the Courts Steven A. Meyerowitz	398

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Library of Congress Card Number:

ISBN: 978-1-6328-2705-0 (print)
ISSN: 2688-7290

Cite this publication as:

[author name], [article title], [vol. no.] PRATT’S GOVERNMENT CONTRACTING LAW REPORT [page number] (LexisNexis A.S. Pratt)
Michelle E. Litteken, GAO Holds NASA Exceeded Its Discretion in Protest of FSS Task Order, 1 PRATT’S GOVERNMENT CONTRACTING LAW REPORT 30 (LexisNexis A.S. Pratt)

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Editorial Office
230 Park Ave., 7th Floor, New York, NY 10169 (800) 543-6862
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U.S. Department of Health and Human Services Announces Updates to Policies on Research Misconduct

By Summer H. Martin, Rebecca J. Merrill and Dan M. Silverboard*

In this article, the authors report on the 2024 Public Health Service (PHS) Policies on Research Misconduct involving PHS-funded research that were released recently by the U.S. Department of Health and Human Services through the Office of Research Integrity.

The 2024 Public Health Service (PHS) Policies on Research Misconduct involving PHS-funded research have been released by the U.S. Department of Health and Human Services (HHS) through the Office of Research Integrity (ORI).

The final rule¹ updates the 2005 regulation and is intended to respond to technological changes and clarify requirements for addressing research misconduct in PHS-funded research “to provide clarity, transparency, and a better streamlined process.”

POLICY UPDATES

Notably, the updates are intended to, among other things:

- Clarify institutional confidentiality obligations;
- Identify areas of institutional discretion (e.g., notification to publications of corrections);
- Better describe research misconduct investigation requirements, including with regard to investigating leads;
- Clarify permissible areas for institutional discretion;
- Extend the timeline for institutional inquiries from 60 days to 90 days; and
- Provide a clearer appeal process.

EFFECTIVE DATE

The final rule takes effect on January 1, 2025, and becomes applicable on January 1, 2026.

* The authors, partners in the Atlanta office of Holland & Knight LLP, may be contacted at summer.martin@hkllaw.com, rebecca.merrill@hkllaw.com and dan.silverboard@hkllaw.com, respectively.

¹ <https://www.federalregister.gov/documents/2024/09/17/2024-20814/public-health-service-policies-on-research-misconduct>.

CONCLUSION

In addition, ORI plans to release sample policies and guidance in the coming months to help prepare PHS-funded entities.²

² ORI's website, at <https://ori.hhs.gov/blog/ori-final-rule>, provides further details.