

NIH Implementation of Uniform Guidance

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Turning Discovery Into Health

HHS' Publication of Interim Final Rule Implementing Uniform Guidance

- On December 19, 2014, HHS published in the [Federal Register](#), an interim final rule adapting OMB's final guidance in 2 CFR part 200 with certain amendments, based on existing HHS regulations, to supplement the guidance as needed for the Department.
- HHS made this interim final rule effective on December 26, 2014.
 - However, HHS will consider and address comments that are received within 60 days of the date the interim final rule is published in the Federal Register.
- See [NOT-OD-15-046](#)

How Will this Impact NIH Grants Management?

- **75.1 Acronyms: Updating NIH GPS & Supplemental Instructions (SI) and NIH website**
 - **HHS increased the number of acronyms to include the following;**
 - **HHS – U.S Department of Health and Human Services**
 - **SF 424 – Standard Form 424 series and Form Families Application for Federal Assistance**
- **75.2 Definitions: Updating NIH GPS & SI and NIH website.**
 - **Modified definitions of 39 terms and removed 6 other terms from Exhibit 2: Definitions of terms used in the NIH Grants Policy Statement.**
 - **Added 56 new terms in Exhibit 2.**

How Will this Impact NIH Grants Management?

- **75.210 Information contained in Federal Award:**
 - **Developed a revised NoA that aligns with the Fed-wide requirements. The revised NoA was deployed on December 29, 2014, and identifies the following information;**
 - **Federal award date**
 - **Total approved cost sharing or matching (replaced Non-Federal share)**
 - **Total Amount of Federal Funds Obligated (Federal Share)**
 - **Adds Catalog of Federal Domestic Assistance (CFDA) name in addition to the CFDA Number**
 - **Adds Period of Performance above the Budget Period and Project Period**
 - **Adds Research & Development (R&D) Indicator**

How Will this Impact NIH Grants Management?

- **75.420 Considerations for Selected Items of Cost:**
 - **Within the NIH GPS Chapter 7.9.1, the following are examples of the items of cost that NIH will include;**
 - Advertising and public relations.
 - Collections of improper payments.
 - Entertainment cost.
 - Maintenance and repair costs.
 - Materials and supplies costs, including costs of computing devices.
 - Proposal cost.
 - Publication and printing costs.
 - Recruiting costs.
 - Relocation costs of employees.
 - Selling and marketing costs.
 - Specialized service facilities.
 - Transportation costs.

How Will this Impact NIH Grants Management?

- **§75.407 Prior written approval (prior approval):**
 - Within the NIH GPS Chapter 8.1.1.2, NIH will continue its longstanding policy to not require prior approval to rebudget funds for any direct cost item that the cost principles identify as requiring the Federal awarding agency's prior approval, unless the incurrence of the cost is associated with or is considered to be a change in scope. As a result, this will apply to the following provisions;
 - **75.306 Cost Sharing or Matching** – The recipient may include unrecovered indirect cost as part of cost sharing or matching without prior approval.
 - **75.413 Direct Cost** – Approval is granted for the recipient to direct charge the salaries of administrative and clerical staff if all conditions in 45 CFR part 75.413 are met.
 - **75.439 Equipment and other capital expenditures** – Unless otherwise specified in the award, the requirement to obtain prior approval for special purpose equipment over \$5,000 is waived.

How Will this Impact NIH Grants Management?

- In addition to the changes specific to the NIH GPS and various websites. NIH also serves with NSF as the co-chair of the Federal-wide Research Terms and Conditions Workgroup.
- Currently, the Research Terms and Condition Workgroup is developing language that will supplement the Closeout provision located at 2 CFR part 200.343. This provision will clarify the following;
 - The non-Federal entity must submit, no later than 120 calendar days after the end date of the period of performance, all financial, performance, and other reports required by the terms and conditions of the Federal award. The Federal awarding agency may approve extensions when requested by the non-Federal entity.

How Will this Impact NIH Grantees?

How we implement these changes at the operational level will have a major impact on the success of reaching the Uniform Guidance's goal of "...deliver[ing] on the promise of a 21st Century government that is more efficient, effective and transparent".

To ensure NIH delivers on this promise to our extramural community, NIH will be issuing separate Guide Notices providing information on NIH's implementation of 45 CFR part 75.

Thank You!

Questions?