Resources for Complying with the NIH Public Access Policy

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Resources for Complying with the NIH Public Access Policy
Evidence-Based Scholarly Communication
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National Institutes of Health
Department of Health & Human Services
NIH Public Access…

- Ensures that the public has access to the published results of NIH-funded research.
- Requires scientists to submit final peer-reviewed journal manuscripts that arise from NIH funds to the digital archive PubMed Central (PMC) (http://www.pubmedcentral.nih.gov).
- Requires that these final peer-reviewed manuscripts be accessible to the public on PubMed Central to help advance science and improve human health.
Public Access Policy applies to any final manuscript that:

- Is peer-reviewed;
- And, is accepted for publication in a journal on or after April 7, 2008;
- And, arises from:
  - Any direct funding from an NIH grant or cooperative agreement active in Fiscal Year 2008, 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.
Public Access and Open Access

“Open Access” – termed used differently be different groups. Applied to publications or individual articles.

- Budapest Initiative
- Bethesda Initiative
- Berlin Initiative

NLM usually refers to the Bethesda
The author(s) and copyright holder(s) grant(s) to all users a free, irrevocable, worldwide, perpetual right of access to, and a license to copy, use, distribute, transmit and display the work publicly and to make and distribute derivative works, in any digital medium for any responsible purpose, subject to proper attribution of authorship, as well as the right to make small numbers of printed copies for their personal use.

A complete version of the work and all supplemental materials, including a copy of the permission as stated above, in a suitable standard electronic format is deposited immediately upon initial publication in at least one online repository that is supported by an academic institution, scholarly society, government agency, or other well-established organization that seeks to enable open access, unrestricted distribution, interoperability, and long-term archiving (for the biomedical sciences, PubMed Central is such a repository).
And the point?

- Public Access is not Open Access.
- Different groups use the phrase “open access”, but may not mean the same thing.
- For some publishers, “open access option” is merely free access (author-pays models).
- Potential for user misunderstanding, especially regarding copyright and reuse issues.
Public Access Policy Information

- Detailed information is available at:
  - PublicAccess.nih.gov
  - Information on submission process, policy details, and FAQs.

- Additional information available at:
  - PubMed Central (www.pubmedcentral.nih.gov/)
  - NIH Manuscript Submission System (www.nihms.nih.gov/)
National Institutes of Health Public Access

- Primary resource for Public Access Policy
- Variety of information available
  - Policy Details
  - Journal Information
  - Training
  - Compliancy Information
  - FAQs
Overview

The NIH Public Access Policy ensures that the public has access to the published results of NIH funded research. It requires scientists to submit final peer-reviewed journal manuscripts that arise from NIH funds to the digital archive PubMed Central upon acceptance for publication. To help advance science and improve human health, the Policy requires that these papers are accessible to the public on PubMed Central no later than 12 months after publication.

How to Comply

All of your papers that fall under the NIH Public Access Policy, whether in press or in print, must include evidence of compliance in all of your NIH applications and reports.

1. **Determine Applicability**
   Does the NIH Public Access Policy apply to your paper?

2. **Address Copyright**
   Ensure your publishing agreement allows the paper to be posted to PubMed Central in accordance with the NIH Public Access Policy.

3. **Submit Paper**
   Submit papers to PubMed Central and approve public release.

4. **Include PMCID in Citations**
   Include the PMCID at the end of the full citation in your application or report.
### Information about Journals and the NIH Public Access Policy

There are four methods to ensure that an applicable paper is submitted to PubMed Central (PMC) in compliance with the NIH Public Access Policy. Authors may use whichever method is most appropriate for them and consistent with their publishing agreement. Click on the method in the table for details.

<table>
<thead>
<tr>
<th>Method A</th>
<th>Method B</th>
<th>Method C</th>
<th>Method D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Journal deposits final published articles in PubMed Central without author involvement</td>
<td>Author asks publisher to deposit specific final published article in PMC</td>
<td>Author deposits final peer-reviewed manuscript in PMC via the NIHMS</td>
<td>Author completes submission of final peer-reviewed manuscript deposited by publisher in the NIHMS</td>
</tr>
<tr>
<td><strong>Version of Paper Submitted</strong></td>
<td>Final Published Article</td>
<td>Final Published Article</td>
<td>Final Peer-Reviewed Manuscript</td>
</tr>
<tr>
<td><strong>Task 1: Who starts the deposit process?</strong></td>
<td>Publisher</td>
<td>Publisher</td>
<td>Author or designee, via NIHMS</td>
</tr>
<tr>
<td><strong>Task 2: Who approves paper for processing?</strong></td>
<td>Publisher</td>
<td>Publisher</td>
<td>Author, via NIHMS</td>
</tr>
<tr>
<td><strong>Task 3: Who approves paper for Pub Med Central display?</strong></td>
<td>Publisher</td>
<td>Publisher</td>
<td>Author, via NIHMS</td>
</tr>
<tr>
<td>Participating journal/publisher</td>
<td>Method A Journals</td>
<td>Make arrangements with these publishers</td>
<td>Check publishing agreement</td>
</tr>
<tr>
<td>Who is Responsible?</td>
<td>NIH Awardee</td>
<td>NIH Awardee</td>
<td>NIH Awardee</td>
</tr>
</tbody>
</table>
Method A: Journals That Submit All NIH-Funded Final Published Articles to PubMed Central

The journals listed here make the final published version of every NIH-funded paper publicly available in PubMed Central no later than 12 months after publication, without author involvement. These deposits are in accord with the NIH Public Access Policy.

For any journal that is not on this list, see the options outlined under "Submission Methods."


<table>
<thead>
<tr>
<th>Journal title</th>
<th>NLM TA</th>
<th>pISSN</th>
<th>eISSN</th>
<th>Start date</th>
<th>End date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acta Biochimica et Biophysica Sinica</td>
<td>Acta Biochim Biophys Sin (Shanghai)</td>
<td>1672-9145</td>
<td>1745-7270</td>
<td>1/1/2009</td>
<td></td>
</tr>
<tr>
<td>Acta Crystallographica Section C: Crystal Structure Communications</td>
<td>Acta Crystallogr C</td>
<td>0108-2701</td>
<td>1600-5759</td>
<td>4/1/2008</td>
<td></td>
</tr>
</tbody>
</table>
Public Access Communications and Training

Training Materials

- Public Access Training - [PowerPoint] - 1.44 MB, November 2009
- Public Access Short Presentation - [PowerPoint] - 278 KB, November 2009
- Public Access Brochure - [PDF] - 75 KB, March 2009

Articles and Other Communications

- Question and Answer Videocast for Medical Library Association Annual Meeting (WMV - 19 minutes) (May 2009)
- Public Access Compliance Efforts and RFI Results NIH Extramural Nexus (October 2008)
- New Tool to Identify PubMed Central ID Numbers NIH Extramural Nexus (August 2008)
- NIH Updates Submission Instructions for the Public Access Policy NIH Extramural Nexus (July 2008)
- Public Access FAQ Update NIH Extramural Nexus (May 2008)
- “What the New Public Access Requirement Means to the NIH-Supported Investigator” - NIH Extramural Nexus (January 2008)

NIH Director’s Testimony

- Written Testimony Before the Subcommittees on Courts, the Internet, and Intellectual Property Committee on the Judiciary United States House of Representatives - Elias A. Zerhouni, M.D. (September 11, 2008)
- Slides presented to the Subcommittee on Courts, the Internet, and Intellectual Property Committee on the Judiciary United States House of Representatives (PowerPoint - 2.31 MB) - Elias A. Zerhouni, M.D. (September 11, 2008)
- Offical Transcript of the Hearing on Fair Copyright in Research Works Act from the Subcommittee on Courts, the Internet, and Intellectual Property Committee on the Judiciary United States House of Representatives (PDF - 50 MB) (September 11,
Public Access Frequently Asked Questions

Last Updated: December 28, 2009

- General Information
- For Investigators, Awardees, and NIH Staff
- Policy Background

General Information

A. General Information

1. What is the NIH Public Access Policy?
2. What is PubMed Central?
3. What are the benefits of posting peer-reviewed papers to PubMed Central?

For Investigators, Awardees, and NIH Staff

B. Scope of the Policy

4. To what types of papers does the NIH Public Access Policy apply?
5. Does the Public Access Policy apply to dissertations, book chapters, conference proceedings, or letters to the editor?
6. My paper is based on research only partially funded by NIH. Is the paper required to be submitted?
7. My paper is based on research funded by NIH but does not fall under the Public Access policy timeframe (e.g., grant or cooperative agreement that expired before Fiscal Year 2008 or an NIH contract awarded before April 7, 2008). May I submit it?
8. Am I responsible for papers that arise from my NIH-funded project for which I am not an author?
9. Is the NIH Public Access Policy a condition of award?
For Sponsored Programs

The NIH Public Access Policy is a legal requirement, as well as a term and condition of award. Awardee institutions may wish to consider the following issues as they implement the Policy.

- **NIH Applications, proposals and reports:** Who ensures that NIH applications, proposals and reports are compliant with the NIH Public Access Policy?

- **Training:** How are your authors and Principal Investigators (PIs) trained on the NIH Public Access Policy, its requirements and its implementation?

- **Publishing Agreements:** Who supports authors and PIs in ensuring that publishing agreements comply with the NIH Public Access Policy?

**Who ensures that NIH applications, proposals and reports are compliant with the NIH Public Access Policy?**

On all NIH applications, proposals and reports, PIs are to include the PMC reference number (PMCID) at the end of the full citation of all papers that fall under the Public Access Policy and are authored by them or arise from their NIH award. NIH expects institutions will not send NIH applications, proposals and reports that are inconsistent with the terms and conditions of their NIH awards.

NIH program staff check for compliance with the Policy in the same way that any institutional signing official can - they look for a PMCID at the end of each applicable citation. NIH staff pay particular attention to the progress report publication list and PI biosketches. See [http://publicaccess.nih.gov/citation_methods.htm](http://publicaccess.nih.gov/citation_methods.htm) for more information.

**How are your authors and Principal Investigators (PIs) trained on the NIH Public Access Policy, its requirements and its implementation?**
COMPLIANCE

- PubMed Central = over 19,35,062 articles
- Author manuscripts = 75,562
- Compliance is at approximately 60%
Final Published Articles from PMC journals

- Voluntary policy: 2005-2007
- Mandatory policy: July 2008 to August 2009, estimated
Manuscript Deposits

- 56% of NIHMS submissions are completed within one month.
- 93% of NIHMS submissions are completed within 3 months.
- Delays are almost always because authors do not respond to NIHMS prompts quickly.
Additional Resources

Training and Communications Sources

- NLM Technical Bulletin
  

- NIH Extramural Nexus
  
  http://grants.nih.gov/grants/nexus.htm
**Additional Resources**

**PubMed Central**

- **PMCID Converter**
  - PMC Utilities page
    - [http://www.ncbi.nlm.nih.gov/pmc/about/PMC_Utilities.html](http://www.ncbi.nlm.nih.gov/pmc/about/PMC_Utilities.html)
  - Use PubMed IDs (PMIDs) to obtain the corresponding PMCID and/or NIHMS IDs if they exist.
  - Can go from PMID to PMCID, or PMCID to PMID.
  - Processes up to 2000 IDS.
PMC Embargoed Documents

-PMC Search feature to see embargoed articles, including author manuscripts.
-Limits Feature - select “show both free and embargoed articles”
-Results shown in separate tabs
-NLM Technical Bulletin article “PubMed Central Releases New Search Option for Embargoed Articles.”

http://www.nlm.nih.gov/pubs/techbull/so09/so09_pmc_embargoed_articles.html
Include Embargoed Articles in search result?*
- Show only articles that are free in PMC now.
- Show both free and embargoed articles.

Limit by Journal
- Add Journal

Limit by Date
- Published in the Last: Any date
- Added to PMC in the Last: Any date

Limit by Article Type
- Research & Review Articles
- Articles Cited by Other PMC Articles
- Any of these article types (OR)
1. PINEAL GLAND TUMORS: EXPERIENCE FROM THE SEER DATABASE
   Maysa Al-Hussaini, Iyad Sultani, Amar J. Gajjar, Najyeh Abuirmileh, and Ibrahim Qaddoumi
   J Neurooncol. Author manuscript; available in PMC 2010 September 1.
   PMCID: PMC2804886
   Published in final edited form as: J Neurooncol. 2009 September; 94(3): 351–358.
   Manuscript: Free in PMC on 2010/09/01

2. Muscleblind-Like 2: Circadian Expression in the Mammalian Pineal Gland is Controlled by an Adrenergic-cAMP Mechanism
   Jong-So Kim, Steven L. Coon, Joan L. Weller, Seth Blackshaw, Martin F. Rath, Morten Møller, and David C. Klein
   J Neurochem. Author manuscript; available in PMC 2010 July 1.
   PMCID: PMC2766844
   Manuscript: Free in PMC on 2010/07/01
New feature in My Bibliography facilitates the management of publication compliance.

Introduced January 2010.

eRA Commons users – Extramural principal investigators, grantees or applicants.

Link eRA Commons account with My NCBI/My Bibliography account.

New Awards View in My Bibliography provides compliance view.
My Bibliography

- **Awards View**
  - Check if publications are compliant
  - Start Manuscript Submission Process
  - Associate NIH extramural awards with publications
  - Designate delegates to manage bibliographies
    - Delegates must have their own MyNCBI account.
My Bibliography – Awards View

- Compliance Indicators
  - Non compliant.
  - Citation has been submitted and is in process.
  - Citation is compliant and PMCID number is also displayed.
  - Not Applicable (N/A) label – articles submitted prior to April 7, 2008 and are not covered by the policy.
  - Question Mark (?) – more information is needed before compliance status can be indicated.
Public Access Compliance: Non-compliant. No PMCID 3 months post publication. NIHMS ID: NIHMS70841
NIH Funding: No funding has been associated with this citation.

Public Access Compliance: PMC Journal – In Process
NIH Funding: No funding has been associated with this citation.

Public Access Compliance: Complete. PMCID: PMC2632597
NIH Funding: No funding has been associated with this citation.

Public Access Compliance: Not applicable
NIH Funding: No funding has been associated with this citation.

Public Access Compliance: Edit Status
NIH Funding: No funding has been associated with this citation.


Ilepicon. Ilepicon. Leprosy review. 2008 May ;


Conformational changes induced in the voltage-gated calcium channels Cav1.2 by Bayk 6444 or FPL-64176 modify the kinetics of secretion independently of Ca(2+) influx. J Biol Chem. 2010 Jan 6; [Epub ahead of print] PubMed PMID: 20054004.

Compliance Wizard

- My Bibliography helps users address NIH Public Access compliance with a pop-up wizard.
- Guides users through a series of simple questions.
- Wizard help users to begin a manuscript submission, link to a previously-submitted manuscript, or determine if their citation is exempt from the Policy.
My Bibliography

- NLM Technical Bulletin article: “My NCBI: Managing Compliance with the NIH Public Access Policy Using My Bibliography”
NIH Public Access Policy

- NIH currently working on outreach and education to grantees.
  - [http://publicaccess.nih.gov/communications.htm](http://publicaccess.nih.gov/communications.htm)
  - Training materials and communications

- Applications, proposals, and progress reports are reviewed for compliance. Program directors and principal investigators informed if citations appear to be out of compliance.
Other Federal Funding Issues

- NIH Public Access Policy – the first federal funding policy
- Others activities / active legislation
Federal Research Public Access Act (FRPAA)

- First introduced in 2006; currently Senate 1373.
- Every federal agency with an annual extramural research budget of $100 million or more would implement a public access policy consistent with and advances the federal purpose of the respective agency.
- Active but no action pending.
- Summary from Alliance for Taxpayer Access:
Fair Copyright in Research Works Act

- House of Representatives 801.
- Would prohibit federal agencies from requiring as a condition of a grant, the transfer or licensing of a copyrighted work to the agency.
- Active but no action pending.
- Statement from CopyrightAlliance.org: http://www.copyrightalliance.org/news.php?id=59&print=1
U.S. House of Representatives
Committee on Science and Technology

- Scholarly Publishing Roundtable – June 2009
- Key stakeholders from the academic and publishing communities
- Background and reports:
  http://www.aau.edu/policy/scholarly_publishing_roundtable.aspx?id=6894
White House Office of Science and Technology Policy (OSTP)


Gathering information on the 3 major issues

- Implementation (Dec. 10 to 20)
- Features and Technology (Dec. 21 to Dec 31)
- Management (Jan. 1 to Jan. 7)

http://www.ostp.gov/cs/public_access/public_access_forum
Due to a high number of requests, time period for all three phases was extended to Jan. 21, 2010.

Over 500 responses/comments

Reviewing the material, organizing it, and begin developing policy recommendations

http://blog.ostp.gov/2010/01/22/public-access-forum-closes/
Thank you.