

Implementation Cheat Sheet

Task/Event	Due Date	Commentary
Effective date of the Public Health Service (PHS) final rule issued on September 12, 2024 (“Final Rule”)	January 1, 2025	The new regulations are <i>effective</i> but not yet <i>binding</i> . An institution may elect to apply the regulations to a proceeding in 2025, but it would need the agreement of the respondent (and a policy/procedure compliant with the Final Rule).
Develop new policies and procedures compliant with the Final Rule.	January 1, 2026	The Office of Research Integrity (ORI) expects to receive a copy of an updated policy in April 2026 (with the annual assurance filing).
Document the subsequent use analysis.	Allegations brought on/after January 1, 2026	New requirement for institutions
Index all records in the “institutional record” for the proceeding.	Allegations brought on/after January 1, 2026	New requirement for institutions
Document the assessment phase.	Allegations brought on/after January 1, 2026	New requirement for institutions
INQUIRY PROCESS – 90 DAYS		
Document evidence of “honest error” or “difference of opinion” in the inquiry report.	Allegations brought on/after January 1, 2026	ORI has indicated it is acceptable, but not required, to dismiss allegations at inquiry on the basis of credible, honest error / difference of opinion evidence
Update inquiry report templates to include new required elements.	Allegations brought on/after January 1, 2026	Inquiry reports must now include the following (in addition to prior required elements): <ul style="list-style-type: none"> the composition of the inquiry committee, if used; an inventory of sequestered research records and other evidence and a description of how sequestration was conducted; transcripts of any transcribed interviews; a timeline and procedural history; any scientific or forensic analyses conducted; the basis on which any allegation(s) do not merit an investigation; and any institutional actions implemented, including communications with journals or funding agencies.

INVESTIGATION – 180 DAYS		
Document all exhibits used during interviews conducted during the investigation.	Allegations brought on/after January 1, 2026	Any exhibits shown to the interviewee during the interview must be numbered and referred to by that number in the interview.
Provide respondents with a copy of all witness interview transcripts alongside the draft investigation report.	Allegations brought on/after January 1, 2026	While the respondents must not be present during the witnesses' interviews, ORI expects that the respondents must be provided a transcript of the interview.
Include new/additional information in the institutional investigation report.	Allegations brought on/after January 1, 2026	Investigation reports must now include the following (in addition to prior required elements): <ul style="list-style-type: none"> • an inventory of sequestered research records and other evidence, except records the institution did not consider or rely on, and a description of how any sequestration was conducted during the investigation; • the composition of the investigation committee; • an inventory of sequestered research records and other evidence, except records the institution did not consider or rely on, and a description of how any sequestration was conducted; • transcripts of all interviews conducted; • identification of the specific published papers, manuscripts submitted but not accepted for publication, PHS funding applications, progress reports, presentations, posters, or other research records that allegedly contained the falsified, fabricated, or plagiarized material; and • any scientific or forensic analyses conducted.