



Duke University to pay \$112 million in research fraud settlement

March 29, 2019

On March 25, 2019, the Department of Justice (DOJ) [announced](#) that Duke University agreed to settle a qui tam False Claims Act case for \$112.5 million. The whistleblower, who pursued the case on the government's behalf when the government declined to intervene, will receive 30 percent of the settlement amount, or \$33.75 million.

The [lawsuit](#), filed in 2014 by a former Duke laboratory analyst, alleged that Duke University knowingly falsified data to obtain millions of grant dollars from the National Institute of Health and the Environmental Protection Agency. Specifically, Duke admits that a research technician, who was fired for embezzling grant funds in 2013, had, in some cases, completely falsified data or statements used to obtain federal funding. The settlement amount includes reimbursement for grants received as a result of the falsified data, as well as penalties. Duke has also retracted scientific publications based on the results of the falsified research.

The U.S. Attorney for the Middle District of North Carolina commented on the settlement. "Taxpayers expect and deserve that federal grant dollars will be used efficiently and honestly. Individuals and institutions that receive research funding from the federal government must be scrupulous in conducting research for the common good and rigorous in rooting out fraud."

Duke University's President also commented on the settlement in a Duke University [press release](#). "When individuals fail to uphold [the university's ethical] standards, and those who are aware of possible wrongdoing fail to report it, as happened in this case, we must accept responsibility, acknowledge that our processes for identifying and preventing misconduct did not work, and take steps to improve." In addition to paying the settlement amount, Duke is expected to implement a series of steps to improve the integrity and oversight of research on campus. These steps include the appointment of an Advisory Panel on Research Integrity and Excellence to provide recommendations for improving the structure and operations of research administration.

Additionally, an Executive Oversight Committee to oversee ongoing implementation of Duke's new research excellence initiative will be established.

This settlement is a reminder that institutions participating in government funded research must have appropriate policies and procedures in place to ensure compliance with applicable laws and grant requirements and to identify and report fraud and other instances of misconduct and noncompliance.

Authors
