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After Self-Disclosure, Harvard Pays Back \$1.3 Million For 'Overcharges'

Harvard University agreed to pay the government \$1,359,791, an amount that the Department of Justice (DOJ) and the HHS Office of Inspector General said reflects overcharges a then-Harvard T.H. Chan School of Public Health (HSPH) professor allegedly claimed against NIH awards for "salary costs" over a five-year period. "The government contends that the HSPH professor, Donna Spiegelman, and her team overstated the time and effort spent working on certain NIH grants for which they provided support (and where they were not principal investigators or key personnel)," the April 27 announcement said. "The overcharges were associated with statistical analysis support that the professor and her team provided to other HSPH professors on grant-related research. The government alleges that Professor Spiegelman and her team inappropriately charged their time and effort by evenly distributing their time across all grants for which they provided statistical support, without accurately accounting for the time they actually spent on particular grants."

In their own statement, HSPH officials noted that there was no admission of liability and said they proposed the settlement amount, which stemmed from "effort reporting discrepancies for Professor Spiegelman and members of her research group that resulted in charges to multiple NIH awards that could not be fully documented." Harvard "disclosed these potential overcharges to NIH and the U.S. Attorney's Office in 2016...investigated the potential overcharges by the professor and others at HSPH, disclosed its findings, and worked cooperatively to explain the overcharges. In addition, Harvard has put in place additional internal controls and safeguards aimed at preventing overcharges from occurring in the future," officials said. Spiegelman, through her attorney, issued a statement to *The HarvardCrimson* expressing dismay at the settlement, which apparently came as a surprise. "Dr. Spiegelman would never have agreed to any settlement because she and her team did nothing wrong," Harvard Law School Professor Jeannie Suk Gersen was quoted as saying. "Because she was not accused of wrongdoing, Dr. Spiegelman was never named as a party to any legal claim by the government or by Harvard." Spiegelman "used those timekeeping practices with the approval of the School of Public Health," according to *The Crimson*. "With this matter, Harvard has appallingly attempted to scapegoat Dr. Spiegelman for the well-known problems of mismanagement," the publication quoted Gersen as saying.

[Link to DOJ announcement](#)

[Link to HSPH statement](#)

[Link to The Crimson article](#)

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