

University of Wisconsin Oshkosh
Proposal for New Policy or Change in Existing Policy

[Form to be complete by group/individuals[s] originating the new policy or change to an existing policy]

Originator: Sarah Kucker

Endorsed by: Department of Psychology; Anca Miron (IRB chair), the Office of Student Research and Creative Activity (interim director, Stephen Kercher)

Policy Title: Payments to Research Participants

■ **New Policy** - Addition to Faculty/Staff Handbook, GEN 1.5.(1)

Reviewed by:

Date of submission: _____

Proposed effective date: _____

Policy Statement: see attached document

Rationale *[problem, need, benefits, advantages/disadvantages, etc.]:*

Faculty, staff, and students at the University of Wisconsin Oshkosh frequently conduct research with human subjects. Often, human subjects are members of the community and thus, require incentive to take part, or compensation for the time. In order to compensate individuals with cash or cash equivalents (e.g. gift cards), UWO currently requires participants to release their social security number and permanent address for tax purposes. At the same time, the ethical treatment of subjects as determined by the Health and Human Services Federal Regulations (45 CFR 46) and the UWO Internal Review Board (IRB) require a high level of participant confidentiality and voluntary participation. These regulations also mandate that even if participants voluntarily withdraw from the study, or choose to not provide private information (such as their social security number), they must still be compensated for their time. This has resulted in cases where human subjects refused to release sensitive information and were not able to be compensated, times when community participants were skeptical of UWO's policies and intentions, and situations in which recruitment for a research study was impeded because of the requirement. In order to comply with both IRS policies and maintain a high level of ethical treatment of human subjects, many research-focused universities have implemented policies qualifying one-time, de minimis payments as an exception from the requirement to obtain sensitive information.

Institutional Impact *[segments of the University that will be affected by the policy]:* This policy applies to all faculty, staff, and students engaged in human subject research with the university. It also has a minor affect on the Controller and Financial Services office on their processing of payments.

Implementation Plan: Describe how this proposal will be implemented under the following areas:

1. Cost Implications *[projected cost of total proposal]:* none
 2. Time Line of Implementation *[effective date and time sequence of implementation]:* Effective immediately pending approval and any required adjustments in the Financial Services office. Will apply to all human subject research payments not currently processed.
 3. Technological implications *[IT intervention and priority of project with IT, other unit involvement]:* none at this time
 4. Description of Phase-In *[if proposal will affect students, plan for implementation, i.e., just freshman starting in the fall, all students, etc.]:* The new policy will be distributed to all human subject researchers in collaboration with the IRB and Faculty Development office. There will be no major change to the way in which research is conducted other than to make some information voluntary instead of required.
 5. Units Involved in Implementation: Provost's office, Controller
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PAYMENTS TO RESEARCH PARTICIPANTS

Purpose: To outline the procedure for making and tracking payments to human subjects for participating in research studies while maintaining both participant confidentiality and financial accountability. Specifically, this policy aims to achieve the following goals in line with the research-enhanced mission of the University of Wisconsin Oshkosh:

- Provide timely, convenient compensation to research participants to facilitate the completion of research studies
- Maintain participant confidentiality in line with ethical human subject treatment
- Provide sufficient financial documentation for the university and IRS purposes

Policy: Faculty, staff, and students of the University of Wisconsin Oshkosh frequently conduct research with human subjects. Compensation and/or incentives to participate may be used when deemed appropriate by UWO's Internal Review Board (IRB) and available resources. As per current standards, cash or cash equivalent payments are considered acceptable forms of compensation with the dollar amount to be specified for each individual study.

- Effective immediately, if a one-time payment of \$100 or less is being made to a research participant, it will be considered de minimis and the requirement to obtain a W-9 may be waived. Researchers are encouraged, though not required to obtain social security numbers and/or taxpayer identification number from the participant to the extent that such information is consistent with the confidentiality protections of the IRB.
- If the researcher is aware that the participant will be getting multiple de minimis payments and may exceed the IRS limit of \$600 per individual per calendar year, it is the researcher's responsibility to obtain the required documentation. As per current policy (SYS 235, Attachment 10), required documentation includes social security number and/or taxpayer identification number and a W-9 form from the recipient.
- De minimis payments only apply to research participant payments. Any other payments are subject to the rules and regulations of the university and are not subject to this policy.

Eligibility: This policy applies to all U.S. persons (citizens and U.S. Resident Aliens, but not nonresident aliens). UW employees are treated the same as non-UW employees when participating as research participants. As per the IRS, research payments are not considered wages and thus, payments to UW employees are not required to be processed through Human Resources/payroll. These policies do not apply to non-resident aliens whom must be processed through the traditional methods with IRS Form 1042S regardless of payment amount due to immigration and taxation documents imposed by Homeland Security and the IRS (see SYS 235, Attachments 7&10).

Payment Procedures

Payments to participants are to be processed with the methods listed below. In all cases, researchers must maintain a record of all payments and participants. The Principle Investigator is responsible for ensuring all procedures are followed and records of all transactions are maintained for a minimum of five years. All completed documentation must be submitted to the Financial Services office in Dempsey 236.

- 1) *De minimis payments of \$100 or less* - Researchers must keep a record of all payments that include the participants legal name, signature or initials, home address, and social security number. However, as per the above policy and IRB ethical standards, participants are not required to provide their social security number if the payment is considered de minimis.
- 2) *Payments over \$100, or multiple de minimis payments cumulating to \$600 or more* - Payments must be submitted to the Financial Services office on the required form and reported to the IRS on Form 1099-MISC, Miscellaneous Income.
- 3) Regardless of payment amount, if data collection is anonymous as per the HHS regulations (45 CFR 46.101.b), documentation of individual participant information is not required.