

Ethical and Legal Considerations Quiz

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ANSWER KEY

Directions: Select the best answer for the multiple-choice questions below based on your understanding of section §5.0, Ethical and Legal Considerations of the *AMA Manual of Style*.

1. To meet the criteria for authorship, authors must have made substantial contributions to the work in which of the following areas?
 - a. conception and design, or acquisition of data, or analysis and interpretation of data
 - b. drafting the manuscript or revising it critically for important intellectual content
 - c. approval of the version of the manuscript to be published

d. all of the above

ANSWER: d. all of the above

Editor's Note: To justify authorship, an author must meet each of these 3 criteria. However, in this regard the term *substantial contribution* has not been adequately defined. As a result, the first criterion, "conception and design, or acquisition of data, or analysis and interpretation of the data," may be interpreted broadly. For example, an author of a nonresearch paper may not have analyzed data per se but may have analyzed literature, events, theories, arguments, or opinions. Therefore, according to the Manual, substantial contribution constitutes an important intellectual contribution, without which the work, or an important part of the work, could not have been completed or the manuscript could not have been written and submitted for publication (§5.1.1, Authorship: Definition, Criteria, Contributions, and Requirements).

2. If an author dies or becomes incapacitated after the manuscript is submitted but before it is published, their name
 - a. should be removed from the byline
 - b. can appear in the byline with a death dagger footnote added
 - c. should be moved to the Acknowledgment with a death dagger footnote added

d. can appear in the byline if a family member, an individual with power of attorney, or the corresponding author can confirm and provide information on the deceased or incapacitated author's contributions

ANSWER: d. can appear in the byline if a family member, an individual with power of attorney, or the corresponding author can confirm and provide information on the deceased or incapacitated author's contributions

Editor's Note: In the case of death or incapacitation of an author during the manuscript submission and review or publication process, a family member, an individual with power of attorney, or the corresponding author can confirm that the deceased or incapacitated person should be listed as an author. In this event, the corresponding author can forward correspondence from the individual representing the deceased author and can provide information on the deceased or incapacitated author's contributions. Designation that an author is deceased can be made in the Acknowledgment or Article Information section of the manuscript/article (§5.1.7, Deceased or Incapacitated Authors).

The policy of using a "death dagger" (†) after the author's name in the byline if an author has died before an article is published has been discontinued. If desired, this information can be included in the Acknowledgment section at the end of the article under the heading Additional Information. For example,

Additional Information: Coauthor John Doe, MD, died January 30, 2017 (§2.3.2, Death of Author[s]).

3. Any person (other than journal staff members) who has performed extensive editing on the manuscript before submission should
 - a. have their name listed in the byline
 - b. have their name listed in the Acknowledgment
 - c. have their name listed in the byline with a footnote signifying this individual as the editor of the manuscript
 - d. not be credited

ANSWER: b. have their name listed in the Acknowledgment

Editor's Note: To give proper credit to those who have provided writing or editorial assistance to authors, journal editors should require authors to identify all persons who have participated substantially in the writing or editing of the manuscript. This should include the persons' names, academic degrees, affiliations, contributions, and indication of whether compensation was received for these contributions. Substantial editing or writing assistance should be disclosed to the editor at the time of manuscript submission and mentioned in the Acknowledgment. Note that journal staff who are listed on the journal's masthead who edit manuscripts do not need to be credited on specific articles (§5.1.2, Guest and Ghost Authors and other Contributors and §5.2.1, Acknowledging Support, Assistance, and Contributions of Those Who Are Not Authors).

4. In a manuscript written by a group, where should the names of the group members who do not qualify for authorship be listed?
- all members of the group should be listed in the byline regardless of qualification for authorship
 - those members of the group who do not qualify for authorship should be listed in the byline with a footnote explaining that they are group members who did not meet the qualification for authorship
 - those members of the group who do not qualify for authorship should be listed in the Acknowledgment, Article Information section, or Supplement
 - those members of the group who do not qualify for authorship should not be listed anywhere in the article

ANSWER: c. those members of the group who do not qualify for authorship should be listed in the Acknowledgment, Article Information section, or Supplement

Editor's Note: Nonauthor collaborators who contribute substantially to studies (eg, investigators) should be listed in the Acknowledgment or Article Information section. Another option is to publish the list of nonauthor collaborators in an online-only supplement to the article, as long as this is made clear to readers. PubMed lists these individuals in the article records as “collaborators” (§5.1.9, Group and Collaborative Authorship).

5. Which of the following may be considered duplicate submission of previously published content?
- poster previously presented at a meeting
 - abstract previously presented at a meeting
 - abstract previously published in a meeting program proceedings
 - complete manuscript previously published in a meeting program book/proceedings

ANSWER: d. complete manuscript previously published in a meeting program book/proceedings

Editor's Note: Following the recommendations of the International Committee of Medical Journal Editors (ICMJE), a policy that prohibits or discourages duplicate publication does not preclude consideration of manuscripts that report on research that has been presented at a professional society or scientific meeting as abstracts or posters, orally, or in slides or other digital media. However, publication of complete manuscripts in proceedings of such meetings in print or online may preclude consideration for publication in a primary-source journal. Note: Duplicate submission or publication is not necessarily unethical, but failure to disclose the existence of duplicate articles, manuscripts, or other related material to editors and readers (covert duplication) is unethical (§5.3, Duplicate Publication and Submission).

6. Which of the following are grounds for a charge of scientific misconduct?
- a. fabrication or falsification of data
 - b. plagiarism
 - c. manipulation of figures that alter the original data
 - d. all of the above

ANSWER: d. all of the above

Editor's Note: Research misconduct is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research or in reporting research results (§5.4, Scientific Misconduct). In addition, although some enhancements to figures, such as cropping or adjusting color of the entire image, may be appropriate if such manipulations do not alter the interpretation of the original data or omit or obscure important data, any manipulation that results in a change in how the original data will be interpreted or that selectively reports, omits, or obscures important data (such as adding or altering a data element or adjusting tone or compression of an image to make it appear as a uniquely different image) is considered scientific misconduct (§5.4.3, Inappropriate Manipulation of Digital Images).

7. Authors are required to report detailed information regarding all financial and material support for which of the following?
- a. grant support and funding sources
 - b. provision of equipment
 - c. provision of supplies
 - d. all of the above

ANSWER: d. all of the above

Editor's Note: In addition to individual financial conflicts of interest, authors should report all financial and material support for the work reported in the manuscript. This includes, but is not limited to, grant support and funding, provision of equipment and supplies, and other paid contributions. All financial and material support should be indicated in the Acknowledgment section of the manuscript, along with detailed information on the roles of each funding source or sponsor (§5.5.3, Reporting Funding, Sponsorship, and Other Support).

8. Which of the following may not require permission from the original source to reproduce it or include it in another publication provided that credit is given to the source?
- a. less than 300 words of text
 - b. quotes and paraphrases from oral and written communications
 - c. abstracts
 - d. work funded completely by the US federal government

ANSWER: d. work funded completely by the US federal government

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9. Strict confidentiality regarding submitted manuscripts must be maintained between the editor and author except in which of the following circumstances?
- when a prospective author is invited to write an editorial commenting on the submitted paper
 - when the editor or author considers it necessary to consult a governmental agency representative regarding a serious adverse drug event discussed in the paper
 - when an editor is investigating an allegation of alleged scientific misconduct against the author and needs to consult an institutional or funding authority
 - all of the above

ANSWER: d. all of the above

Editor's Note: To maintain confidentiality, editors should deny requests or demands for confidential information during editorial evaluation, during peer review, and after publication from any third party, including readers, authors of other manuscripts, owners of the journal, publishing staff other than those essential to producing the journal in print/online, news media, advertisers, governmental agencies, academic institutions, commercial entities, and representatives of those seeking information for use in actual or threatened legal proceedings. Exceptions to this policy may be made in specific circumstances provided that disclosures are limited and that anyone else given access to confidential information agrees to keep the information confidential. Examples of exceptions include the following: (1) a prospective author who is invited by an editor to write an editorial commenting on a paper that has not yet been published; (2) a governmental agency representative consulted by

the editor or author on a matter considered a public health emergency or a matter that by regulation requires notification (eg, serious adverse drug event); and (3) an institutional or funding authority requested by the editor to investigate an allegation of scientific misconduct related to a manuscript under consideration or a published article (§5.7.1, Confidentiality During Editorial Evaluation and Peer Review and After Publication).

10. Which of the following requires signed informed consent from research participants before publication?
- report describing aggregate samples from deceased individuals
 - report describing aggregate samples collected for diagnostic purposes only
 - report describing aggregate samples or data available from commercial or public repositories or registries
 - none of the above

ANSWER: d. none of the above

Editor's Note: The National Institutes of Health considers the following to be components of research not involving human participants: samples from deceased individuals; samples collected for diagnostic purposes only; samples or data that are available from commercial or public repositories or registries; established cell lines that are publicly available; and self-sustaining, cell-free derivative preparations (eg, viral isolates, cloned DNA or RNA). However, if descriptions of the patients who provided these samples make the patients identifiable, their permission is needed (§5.8.1, Ethical Review of Studies and Informed Consent).

11. Which of the following is not an appropriate means of protecting the identity of patients described in research articles?
- deletion of patients' names, initials, and assigned numbers from case reports
 - placing bars over the eyes of patients in photographs
 - removal of identifying information from radiographs, digital images, and laboratory slides
 - deletion of identifying details from descriptions of patients in the Results section of the article
 - all of the above

ANSWER: b. placing bars over the eyes of patients in photographs

Editor's Note: Historically, medical journals have taken steps to protect patients' rights to privacy and anonymity, including the deletion of patients' names, initials, and assigned numbers from case reports; removal of identifying information from radiographs, digital images, and laboratory slides; and the deletion of identifying details from descriptions of patients or study participants in published articles. Until the late 1980s, placing black bars

over the eyes of patients in photographs was accepted as a way to protect the identities of patients. However, journals began to discontinue this practice when it became apparent that bars across eyes do not protect identities. Photographs with bars placed over the eyes of patients should not be used in publication (§5.8.3, Patients' Rights to Privacy and Anonymity and Consent for Identifiable Publication).

12. Who is responsible for determining whether a study is excluded or exempt from formal ethical review and approval?

a. an institutional review board or ethics committee

b. author(s) or study group

c. peer reviewer(s)

d. editor in chief of the journal

ANSWER: a. an institutional review board or ethics committee

Editor's Note: Authors and investigators should not make a personal determination about whether a study is excluded or exempt from formal ethical review and approval. They should cite the exclusion or exemption policies of their institutions per the relevant provisions of the revised Common Rule (or additional supporting guidance) for studies conducted in the US or similar regulations of other countries. If an institutional review board or ethics committee waived or exempted the requirement for informed consent, or if a study uses publicly available deidentified data, authors should explain the reason for such waiver or exemption (§5.8.2.1, Reporting Waivers, Exclusions, and Exemptions).

13. Which of the following is an exception to a journal policy that precludes prepublication release of information to the public?

a. presentation of information during scientific or clinical meetings

b. release of information that is determined to be of urgent public need or that is in the public domain

c. testimony before government agencies

d. all of the above

ANSWER: d. all of the above

Editor's Note: There are 4 general exceptions to a journal policy that precludes prepublication release of information to the public: presentation of information during scientific or clinical meetings, release of information that is determined to be of urgent public need, testimony before government agencies, and release of information that is in the public domain (§5.13.1, Release of Information to the Public).

14. What is the appropriate way to handle an author's failure to disclose a conflict of interest for a published article?
- a. publish a retraction of the article
 - b. ban the author from publishing in the journal in the future
 - c. publish the conflict of interest information in the journal along with a correction notice and correct the article online
 - d. publish a correction that removes the author's name from the byline in the online version of the article

ANSWER: c. publish the conflict of interest information in the journal along with a correction notice and correct the article online

Editor's Note: If an editor receives information (often from a reader) alleging that an author has not disclosed a conflict of interest in the subject of an article that has been published, the editor should contact the author and ask for an explanation. If the author admits that they failed to disclose the existence of a conflict of interest in the subject of the article and if that author had previously submitted a signed conflict disclosure statement that did not disclose that conflict of interest, the editor should request a written explanation from the author and an updated conflict of interest disclosure and publish this information as a letter of explanation or notice of failure to disclose conflict of interest along with a Correction notice and correct the article online. Depending on the circumstances and extent of the inaccurate disclosure, some editors may notify the offending author's institution or funder (§5.5.8.2, For Authors of Published Articles).