



Open Payments

*Physician, Teaching Hospital, and Principal Investigator:
2015 Program Year Review, Dispute, and Correction*

O P E N P A Y M E N T S

C R E A T I N G P U B L I C T R A N S P A R E N C Y
I N T O I N D U S T R Y - P H Y S I C I A N
F I N A N C I A L R E L A T I O N S H I P S

April 2016

CMS Disclaimer: This information is a summary of the Final Rule implementing Open Payments (Medicare, Medicaid, Children's Health Insurance Programs; Transparency Reports and Reporting of Physician Ownership or Investment Interests [CMS-5060-F], codified at 42 CFR Parts 402 and 403). The summary is not intended to take the place of the Final Rule which is the official source for information on the program.

Agenda

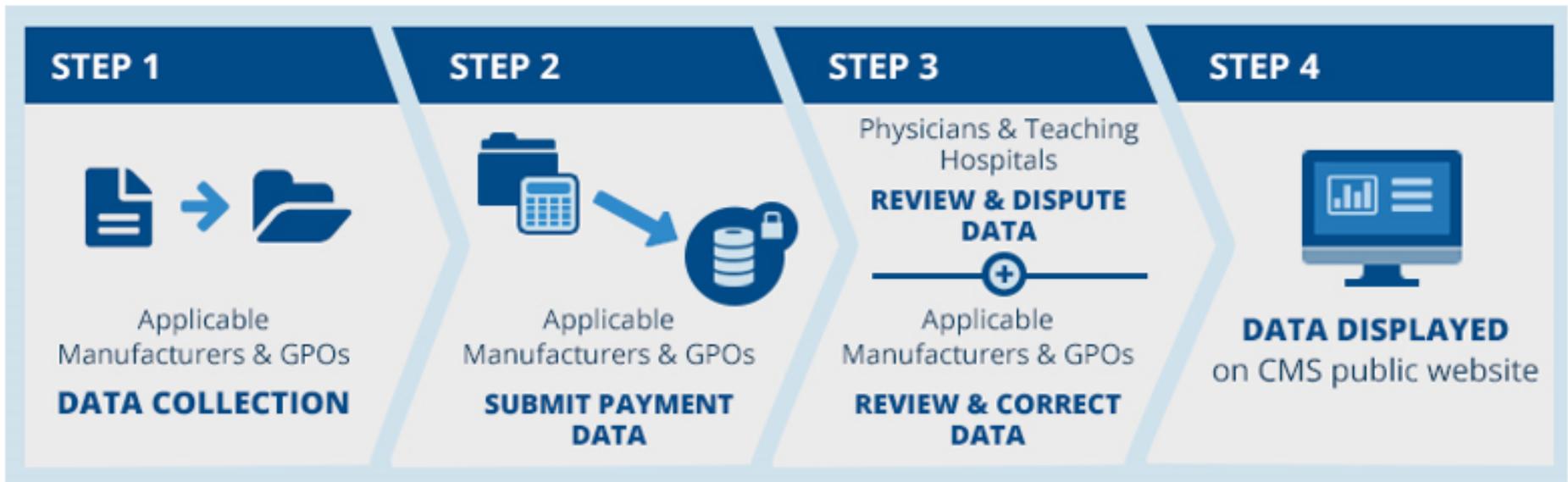
- Target Audience and Learning Objectives
- Open Payments Program and Timeline
- Review, Dispute, and Correction Process
- Review and Dispute Actions
- Resolving Disputes
- Open Payments System: Review and Dispute Enhancements
- Next Steps and Available Resources

Target Audience & Learning Objectives

- Target audience:
 - Physicians and teaching hospitals who need to view and possibly dispute data submitted about them by reporting entities (applicable manufacturers or applicable group purchasing organizations (GPOs))
- Learning objectives:
 - Understanding of the Open Payments review, dispute, and correction process, and how to take appropriate actions in the Open Payments system

Open Payments Program and Timeline

Open Payments Process Flow



Reporting entities collect payment data for a program year, which runs from January 1 to December 31



Reporting entities submit their data for the program year to the Open Payments system



Physicians and teaching hospitals review and, if necessary, dispute submitted data. Reporting entities correct the data to resolve any disputes



Data for that program year is published for public viewing in accordance with the publication guidelines

2015 Program Year Timeline



Review, Dispute, and Correction Process

Review, Dispute, and Correction Overview

- The review, dispute, and correction process allows physicians and teaching hospitals to dispute the accuracy of records and request their correction
- Physicians and teaching hospitals may review data reported about them by reporting entities in the Open Payments system
 - If errors are found in the reported data, a dispute may be initiated with the reporting entity
- **Physicians and teaching hospitals who want to view data reported about them must register in both EIDM and the Open Payments system prior to accessing the Open Payments system**
- Reporting entities work directly with physicians and teaching hospitals to resolve disputes

Review and Dispute Actions

- Physicians and teaching hospitals can review, affirm, and/or dispute records submitted about them by reporting entities regarding payments, other transfers of value, or physician ownership or investment interests
- Physicians and teaching hospitals may take following actions on any record:
 - Affirm Records: Review records and affirm that they are accurate as reported by the reporting entity
 - Initiate Disputes: Initiate a dispute against a record they believe was reported incorrectly
 - Withdraw Disputes: Withdraw a dispute if they no longer wish to proceed with that dispute

Review and Dispute Statuses

- Records in the review and dispute process will have one of the following review and dispute statuses in the Open Payments system:
 - **Initiated**: indicates that a physician, teaching hospital, or principal investigator has initiated a dispute against a record submitted by the reporting entity
 - **Acknowledged**: Indicates that the reporting entity has received and acknowledged a dispute initiated by a physician, teaching hospital, or principal investigator
 - **Resolved**: Indicates that disputed data was updated and then re-submitted and re-attested to by the reporting entity
 - **Resolved, No Change**: Indicates that the reporting entity and the physician, teaching hospital, or principal investigator have resolved the dispute, and no changes were made to the disputed record
 - **Withdrawn**: Indicates that a physician, teaching hospital, or principal investigator has withdrawn a dispute they initiated against a record submitted by reporting entity

Dispute Resolution

- Reporting entities must work directly with the physician or physician's authorized representative, or the authorized official or authorized representative for the teaching hospital to reach a resolution for disputed record(s)
- The dispute resolution process takes place outside of the Open Payments system
- **CMS does not mediate disputes between physicians, teaching hospitals, and reporting entities**
- Once a resolution is reached, the status of the resolution is captured in the system by the reporting entity
- If a record is deleted as a result of a dispute, the deleted record will no longer be visible to the covered recipient, and any review and dispute history will also be removed from the Open Payments system

Review and Dispute for Principal Investigators

- A physician who is identified as a principal investigator on a research payment record can take part in the review and dispute process
- **Principal investigators should only dispute their association with a particular research payment record or dispute the accuracy of identifying information about them in that payment record.** They may not dispute any other aspect of the record, such as the amount of the payment or transfer of value
- All principal investigators included in a research payment record can affirm the record or initiate/withdraw disputes

Review, Dispute, and Correction Timing

- Each program year has a scheduled review, dispute, and correction period
- This period begins with a 45-day period for physicians, teaching hospitals, and principal investigators to review, dispute, and work with the reporting entity to resolve the disputed record(s) submitted during the submission period (which can include records submitted for previous program years)
- Immediately following the initial 45-day period is an additional 15-day correction period for reporting entities to make corrections to records and resolve any active disputes
- Reporting entities can continue to make edits to records with no disputes against them up until the refresh publication cutoff
- Edits to records with no disputes against them made after refresh publication cutoff will be eligible for publication in the next publication of the data
- Records that are flagged for delay in publication by the reporting entity are eligible for review and dispute by physicians, teaching hospitals, and principal investigators but not eligible for publication in that program year

Review, Dispute, and Correction Timing (cont.)

- **Although there is a distinct review, dispute, and correction period, these activities can be performed through the end of the calendar year on all records that were submitted during the submission period of the current calendar year (including newly edited, submitted, and re-attested records from the previous calendar years)**
- If a dispute is not resolved within the review, dispute, and correction period for a program year, all parties should continue to seek a resolution until the dispute is resolved
- Once the dispute is resolved and any necessary corrections made to the record(s), the corrected data will be what is published in subsequent publications

Dispute Timing and Public Display

- Disputes initiated within the initial 45-day review, dispute, and correction period, and resolved by the end of the additional 15-day correction period, will be published and identified as non-disputed in the initial public posting of data
- If the dispute is not resolved by the end of the correction period, the record will be published and identified as being under dispute
- Disputes initiated or resolved after the full 60-day review, dispute, and correction period will not be reflected in the initial publication of data. Those disputes and any related data changes will be published in the next publication of data, which may be a refresh publication of the program year data or the publication of the next program year's data
- Records with a new dispute initiated after the 45-day review and dispute period will be published as undisputed in the initial data publication
- Additional details regarding disputes initiated after the 45-day review and dispute period are available in the quick reference guide “Review and Dispute Timing, and Data Publication” and the “Data Dictionary and Methodology Document” (see Resources page of the Open Payments website <http://www.cms.gov/openpayments>)

Review, Dispute, and Correction Impact on Data Publication

- CMS publishes data initially in June of each year, and subsequently in a refresh publication approximately six months later with updated data from the current and previous program years
- Data corrections made by reporting entities **after** the 60-day review, dispute, and correction period and before publication cutoff, will be seen in the next data publication refresh
- In the cases where a dispute has not been resolved, the latest data submitted by the reporting entity will be published and identified as under dispute

Review and Dispute Actions

Review and Dispute Actions Overview

- Physicians, teaching hospitals, and principal investigators can take following four actions in the Open Payments system related to review and dispute
- All of these actions are voluntary. Records will still be published regardless of how many of these actions are taken

1. Review Records

- Review records submitted by reporting entities

2. Affirm Records

- Confirm accuracy of records

3. Initiate Disputes

- Initiate disputes for inaccurate records

4. Withdraw Disputes

- Withdraw a previously initiated dispute

1. Review Records

- Physicians, teaching hospitals, and principal investigators should start by reviewing records submitted about them by reporting entities
- To review these records, go to the “Review and Dispute” tab in the Open Payments system and select the physician or teaching hospital you are affiliated with to view the record(s) associated with them
- An example of the page is shown on this slide
- From this page, you may review, affirm records, initiate disputes, and withdraw disputes

Open Payments (Sunshine Act)
Physician Switch User Type

Home | **Review and Dispute** (Review, Affirm, Dispute) | My Profile (Account, Roles, Nominations) | Help

Review and Dispute - Mary Davis - 2015

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The table below displays all records reported for the selected physician or principal investigator during the selected program year

The list is organized by reporting entity, including reporting entities that reported payments or other transfers of value to the selected physician or principal investigator.

Showing Results for: [All]

Show Entries: 10

Affirm Record | Dispute Record | Withdraw Dispute

Select	Entity Making Payment	Record ID	Payment Category	Principal Investigators Associated?	Physician Listed as PI only?	Date of Payment	Amount(\$)	Dispute ID	Review and Dispute Status	Date Dispute Initiated	History Of Dispute	Delay in Publication of Research Payment Indicator	Affirmed (Yes/No)
<input checked="" type="checkbox"/>	WXYZ Medical	664745	General Payments	N/A	N/A	2015-01-04	\$26,000.66					No	No
<input type="checkbox"/>	WXYZ Medical	664715	General Payments	N/A	N/A	2015-01-04	\$26,000.66					No	No
<input type="checkbox"/>	WXYZ Medical	664725	General Payments	N/A	N/A	2015-01-04	\$26,000.66					No	No
<input type="checkbox"/>	WXYZ Medical	664735	General Payments	N/A	N/A	2015-01-04	\$26,000.66					No	No

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2. Affirm Records

- After records have been reviewed, physicians and teaching hospitals may affirm that records associated with them are correct
- Affirming records is optional – however, it is encouraged to ensure that the reporting entity and the physician or teaching hospital agree on the details of each payment
- Who can affirm records?
 - Physicians
 - Physician authorized representatives with “Dispute Records” access level
 - Teaching hospital authorized officials and authorized representatives
 - Physicians identified as principal investigators on research payments records
- Un-affirmed records are still eligible for publication as reported by the reporting entity
- Records that have been affirmed can still be disputed through the end of the calendar year if inaccuracies are discovered during that time

3. Initiating Disputes

- Physicians, teaching hospitals, and principal investigators may initiate disputes on records associated with them that they believe require correction and provide a reason for dispute
 - Covered recipients are encouraged to include their contact information such as phone number and/or email address in the dispute details text box
- Once a dispute is initiated, the reporting entity will receive an email notification that a dispute has been initiated
 - The reason for the dispute will be included in the notification email
- Reporting entities may acknowledge disputes in the Open Payments system, but are not required to do so
- A reporting entity's acknowledgement of a dispute only serves as a notification to the physician, teaching hospital, or principal investigator that the reporting entity has received the dispute
- The physician, teaching hospital, or principal investigator will receive an email notification if the dispute is acknowledged by the reporting entity
- Physicians and teaching hospitals can monitor the dispute status on the "Review and Dispute" page in the Open Payments system

4. Withdrawing Disputes

- Physicians, teaching hospitals, and principal investigators can withdraw a dispute from a record if they no longer wish to proceed with the dispute
- Disputes may be withdrawn after a dispute has been initiated or acknowledged
- Once the physician, teaching hospital, or principal investigator withdraws a dispute, the reporting entity will receive an email notification that a dispute has been withdrawn. No additional action is needed by the reporting entity once the dispute is withdrawn
- Physician authorized representatives must hold the “Dispute Records” access level to withdraw dispute
- Physicians, principal investigators, as well as teaching hospital authorized officials and authorized representatives do not need additional access to withdraw disputes
- For detailed instructions on completing these actions, refer to the quick reference guide “Physician, Teaching Hospital, and Principal Investigator Review and Dispute Process” on the Resources page of the Open Payments website at <http://www.cms.gov/openpayments>

Resolving Disputes

Resolving Disputes

Reporting entities can resolve disputes in one of two ways:

1. The dispute can be resolved with changes made to the disputed record

- After the updated record is re-submitted to the Open Payments system and the reporting entity attests to its accuracy, the updated record will automatically be placed in a Review and Dispute status of “Resolved”
- A record can also be deleted to resolve a dispute. Once the reporting entity deletes the record from the Open Payments system, the review and dispute history of the record is also deleted

2. The dispute can be resolved with no changes made to the disputed record

- This can be done when the reporting entity and the physician or teaching hospital have resolved the dispute in accordance with the Final Rule and no changes were needed or made to the disputed record. Following this process will place the disputed records in a Review and Dispute status of “Resolved No Change”

Resolving Disputes (cont.)

- The physician, teaching hospital, or principal investigator will receive an email notification when a disputed record has been resolved by either of these two methods
- Physicians, teaching hospitals, and principal investigators can view the details of the resolution and any corrections that may have been made by logging into the Open Payments system and viewing the details associated with the record
- If a physician, teaching hospital, or principal investigator believes a dispute has not been sufficiently resolved despite the record having a status of “Resolved”, they can initiate another dispute for the same record

Resolving Disputes (cont.)

- If resolution of a dispute requires changes to covered recipient identifying information, after the change is made by the reporting entity, the record will no longer be visible to original recipient or principal investigator
- Once a disputed record has been corrected, re-submitted, and re-attested, the “Review and Dispute” status of that record will automatically change to “Resolved” in the Open Payments system
- When the dispute status is updated, in the Open Payments system, the physician, teaching hospital, or principal investigator will receive an email notification

Open Payments System: Review and Dispute Enhancements

Open Payments System: Review and Dispute Enhancements

- **NEW!** Reporting entities are now required to provide review and dispute contact information to physicians, teaching hospitals, and principal investigators
- Physicians, teaching hospitals, and principal investigators can access the review and dispute contact information for each record on the “Record ID” page of the individual payment record
- Physicians, teaching hospitals, and principal investigators are encouraged to use the contact information to contact the reporting entity if they have any questions about the record
- Disputes should only be initiated if there is disagreement with the accuracy of the reported record

The screenshot displays the 'Open Payments (Sunshine Act)' website interface. At the top, the title 'Open Payments (Sunshine Act)' is shown in a large, bold font, with 'Physician Switch User Type' below it. A navigation bar contains four buttons: 'Home', 'Review and Dispute' (highlighted in light blue), 'My Profile', and 'Help'. The 'Review and Dispute' button has sub-links for 'Review', 'Affirm', and 'Dispute'. The 'My Profile' button has sub-links for 'Account, Roles, Nominations'. Below the navigation bar, the main content area shows 'Record ID: 664725' with a 'Back' button. A red box highlights the 'Reporting Entity Contact Information' section, which contains the text: 'If you have any questions about this record, you may use the contact information provided below to directly contact the reporting entity. Please contact Karen Miller at 555-555-5555 or openpayments@yopmail.com.' To the right of the main content area, there are three utility links: 'Access the Open Payments User Guide' (with a share icon), 'Need help with the website? Contact Us by email' (with a question mark icon), and 'Review the Open Payments Privacy Policy [PDF, 102 KB]' (with a lock icon). At the bottom right, there is a small image of a woman and a man in professional attire.

Open Payments System: Review and Dispute Enhancements (cont.)

- Physicians, teaching hospitals, and principal investigators can now export their disputed records into a downloadable CSV file
 - This may aid in reviewing the information outside of the Open Payments system
- The file may contain up to approximately 400k records
- Select “Download ZIP File” link from the “Review and Dispute” page to download the file

Open Payments (Sunshine Act)
Teaching Hospital Switch User Type

Home | **Review and Dispute** | Manage Teaching Hospitals | My Profile | Help
Review, Affirm, Dispute | Register, Edit, Nominate Roles | Account, Roles, Nominations

Review and Dispute - ABCDE Teaching Hospital

[Back](#)

The table below displays all the records reported for the selected teaching hospital during the selected program year.
The list is organized by the reporting entities that reported payments or other transfers of value to the teaching hospital.

Entity Making Payment: Record ID: Dispute ID:

Review and Dispute Status: Initiated Acknowledged Resolved No Change Withdrawn Resolved

Payment Category: General Payments Research Payments

Affirmed (Yes/No): Yes No

[Download Zip File](#) [Search](#) [Clear All](#)

Showing Results for: [All]

Show Entries: 10 [Affirm Record](#) [Dispute Record](#) [Withdraw Dispute](#)

Select	Entity Making Payment	Record ID	Payment Category	Principal Investigators Associated?	Date of Payment	Amount(\$)	Dispute ID	Review and Dispute Status	Date Dispute Initiated	History Of Dispute	Delay in Publication of Research Payment Indicator	Affirmed (Yes/No)
<input checked="" type="checkbox"/>	WXYZ Medical	667247	Research Payments	Yes	2015-09-01	\$76,767.22					No	No

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Open Payments System: Review and Dispute Enhancements (cont.)

- Special characters are now allowed in all fields throughout the Open Payments system
 - All special characters listed on the United States keyboard layout (ANSI) are permitted
 - Excludes fields where specific formatting is required

Open Payments System: Review and Dispute Enhancements (cont.)

- The Review and Dispute interface for principal investigators is now more intuitive and user-friendly
- The Review and Dispute page has a filter to allow users to search for records in which they are listed as the recipient of the payment or as only a principal investigator on the study that received the funding

Open Payments (Sunshine Act)

Physician Switch User Type

Home | **Review and Dispute** | My Profile | Help

Review and Dispute - Mary Davis - 2015

For more information about the review and dispute process, refer to the Open Payments User Guide.

Physician Records

Entity Making Payment: Record ID: Dispute ID:

Review and Dispute Status: Initiated Acknowledged Resolved No Change Withdrawn Resolved

Payment Category: General Payments Research Payments Ownership or Investment Interest

Affirmed (Yes/No): Yes No

Reported As: Recipient Principal Investigator

Download Search Clear All

Showing Results for: [All]

Show Entries: 10 Affirm Record Dispute Record Withdraw Dispute

Select	Entity Making Payment	Record ID	Payment Category	Principal Investigators Associated?	Physician Listed as PI only?	Date of Payment	Amount(\$)	Dispute ID	Review and Dispute Status	Date Dispute Initiated	History Of Dispute	Delay in Publication of Research Payment Indicator	Affirmed (Yes/No)
<input type="checkbox"/>	WXYZ Medical	664745	General Payments	N/A	N/A	2015-01-04	\$26,000.66					No	No
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<input type="checkbox"/>	WXYZ Medical	664735	General Payments	N/A	N/A	2015-01-04	\$26,000.66					No	No

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Next Steps and Available Resources

Next Steps

- Register in EIDM and in the Open Payments system
 - Registration in both EIDM and the Open Payments system is required in order to perform any review and dispute actions
- Once you have registered in both EIDM and the Open Payments system, you may:
 - Review records
 - Affirm records
 - Initiate disputes against any information you feel is inaccurate
 - Withdraw disputes if appropriate
 - Participate in dispute resolution activities with reporting entities

Available Resources

- Resources available on the CMS Open Payments website (<http://www.cms.gov/openpayments>) Resources page include:
 - Open Payments User Guide
 - Registration for Physicians and Teaching Hospitals Tutorial
 - Quick Reference Guides
- Sign up for the Open Payments email updates via the Open Payments website to receive e-mail updates about Open Payments
- For additional questions, you can also contact the Open Payments Help Desk at:
 - openpayments@cms.hhs.gov
 - 1-855-326-8366