

Open Payments System Quick Reference Guide

Review and Dispute Timing and Data Publication

Introduction

This quick reference guide explains the impact that dispute initiation and resolution have on a record's publication date. This guide also explains the review, dispute, and publication impact of editing and deleting attested records.

Prerequisites

- None

Actions

Publication Cycles

Open Payments data is published twice annually.

- **Initial Publication** (on or by June 30 of each year): This publication is the first publication of the eligible records for a program year.
- **Refresh Publication** (early part of the calendar year after submission): This publication includes the latest attested version of the data at the end of the calendar year.

Publication Impact of Review & Dispute Timing

Open Payments has designated periods each calendar year for Data Submission, Review and Dispute, and Correction. Whether payment records are eligible for publication and if records will be identified as disputed depends upon what is done to those records during these periods.

- **Submission Period:** Payment records submitted and attested to during the submission period are considered on-time submissions and are eligible for the June data publication. Records submitted after the submission period will not be eligible for publication until the next initial publication.
- **Review and Dispute Period:** Physicians, non-physician practitioners (NPPs) (including principal investigators), and teaching hospitals can review submitted payment records and dispute them if necessary. Disputes initiated against records during the review and dispute period that are not resolved by the reporting entity by the end of the correction period will be published as disputed in the initial data publication. Disputes can be initiated until the end of the calendar year in which the record was submitted, but disputes initiated after the end of the review and

Last Modified: January 2022

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dispute period will not be reflected in the initial publication. See the section “Publication Impact of Disputed Records” for details.

- **Correction Period:** Reporting entities can work with physicians, NPPs and teaching hospitals to resolve disputes and if necessary correct records. Corrections made to disputed records during the correction period are eligible to be included in the June publication. Corrections made after the end of the correction period will not be reflected in the initial publication. See the section “Publication Impact of Disputed Records” for details.

NOTE: The data published in the initial publication is the latest attested version of the data at the end of the correction period. The data published in the refresh publication is the latest attested version of the data at the end of the calendar year.

Publication Impact of Disputed Records

Records may be identified as under dispute in data publications. The table below lists scenarios for dispute initiation and resolution and explains how records are identified in data publication based upon those scenarios.

Dispute Initiated/Resolved	Published As Disputed in Initial Publication?	Published As Disputed in Refresh Publication?
Initiated: During the 45-day Review and Dispute Period Resolved: By the end of the 15-day Correction Period	No	No
Initiated: During the 45-day Review and Dispute Period Resolved: After the end of the 15-day Correction Period	Yes	Yes, unless the dispute is resolved before the end of the calendar year
Initiated: During the 15-day Correction Period Resolved: By the end of the 15-day Correction Period	No	No
Initiated: During the 15-day Correction Period Resolved: After the end of the 15-day Correction Period	No	Yes, unless the dispute is resolved before the end of the calendar year
Initiated: After the Correction Period Resolved: By the end of the calendar year	No	No
Initiated: After the Correction Period Resolved: After the end of the calendar year	No	Yes

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Publication Impact of Edits to Undisputed Records

If a reporting entity makes edits to a record that is **not** a result of an open dispute, it can have an effect on the date of publication. Edited records must be re-attested in order to be available for review, dispute, and publication.

Reporting Entity Edits Without Dispute	Review and Dispute Impact	Initial Publication	Refresh Publication
During 60-day Review and Dispute Period or Correction Period (Days 1 - 60)	Edited record is available for review and dispute to covered recipient through end of calendar year.	Not Eligible	Latest edited and attested record is eligible to be published.
After the 60-day Review and Dispute Period and Before the Modified-Without-Dispute Cutoff Date in November	Edited record is available for review and dispute to covered recipient through end of calendar year.	Not Eligible	Latest edited and attested record is eligible to be published.
After the Modified-Without-Dispute Cutoff Date in November	Edited record is not available for review and dispute to covered recipient until next calendar year's review and dispute period.	Not Eligible	Not Eligible; will be eligible for publication in the following calendar year's Initial Publication.

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Additional Data Publication Notes

- Delay in Publication – A record that has received a delay in publication is eligible for review and dispute in the year of its submission but will not be published that year. The record will remain unpublished for as long as the reporting entity requests a renewal of the delay in publication for that record each year, up to the 4-year maximum delay.
- Marked for Deletion – Records that have been marked for deletion by a reporting entity and are pending re-attestation are still eligible for review and dispute in the year of their submission. **These records are eligible for publication if the re-attestation has not been performed by the end of the correction period.**
- Updated Covered Recipient Identifying Information – To change identifying information about a covered recipient in a record after the submission period, a new record must be submitted and the old record deleted. Due to the lack of a full review and dispute period for that new record, the new record will not be eligible for publication until the following year’s initial publication in June.

Additional Resources

Additional review and dispute resources are available on the Resources page of the Open Payments website at <https://www.cms.gov/OpenPayments/About/Resources.html>.

The “Data Publication” section of the Open Payments Data Dictionary Methodology provides detailed information about data publication. The Open Payments Methodology and Data Dictionary document explains the data publication rules and the fields included in data publication.

Disclosure

- **Disclaimer:** The contents of this document do not have the force and effect of law and are not meant to bind the public in any way unless specifically incorporated into a contract. This document is intended only to provide clarity to the public regarding existing requirements under the law.
- **Activities/persons addressed by this document:** Guidance on how data is published based on when a dispute is initiated and when it is resolved.
- **Date of document issuance:** January 2022
- **Replacement / Revision Status:** Revision to previous versions
- **Agency Identifier:** CPI DASG/CPI DTP/DASG/CPI 1601
- **Summary of Document:** Detailed information on how data is published based on when a dispute is initiated and when it is resolved.
- **Citation to statutory provision/regulation applicable to this document:**
 - **Statute citation:** SEC. 1128G. [42 U.S.C. 1320a-7h]
 - **Rule citation:** 42 C.F.R. §403.900-14

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