



Information physicians can use on:

OPEN PAYMENTS

(Physician Payments Sunshine Act)

What is Open Payments?

Open Payments is a national disclosure program created by the Affordable Care Act that increases transparency into financial relationships between the health care industry (like medical device manufacturers and pharmaceutical companies) and physicians or teaching hospitals. Drug, device, biological, and medical supply manufacturers, and group purchasing organizations are required to report payments or other transfers of value they make to physicians or teaching hospitals, as well as ownership or investment interests that a physician or his or her family members have in those entities. The Centers for Medicare & Medicaid Services (CMS) collects this data annually, and makes it publicly available and searchable online at openpaymentsdata.cms.gov.

Why is this program important?

Open Payments doesn't identify or distinguish between which financial relationships are beneficial or those that may cause or imply conflicts of interest. Instead, the program is designed to increase public awareness about these relationships and promotes transparency in the health care industry.

CMS makes this information available to the public, allowing interested stakeholders to analyze, monitor, and use the data. Physicians and teaching hospitals have an opportunity to review data reported about them prior to it being made public. It's important that you, as a physician, know about this program, what's reported about you, and how you can answer questions from your patients.

Which physicians and teaching hospitals are affected?

The physicians affected by the program include:

- Doctors of medicine and osteopathy
- Dental surgeons
- Dentists
- Licensed chiropractors
- Optometrists
- Podiatrists

Note: Your data may still be reported even if you don't treat Medicare or Medicaid patients. Also, medical residents are excluded from the definition of physicians for the purpose of this program.

Affected teaching hospitals include institutions that received payments for:

- Indirect medical education (IME)
- Direct graduate medical education
- Psychiatric hospital IME

CMS publishes a list each year identifying the teaching hospitals that are affected, and posts the list at [cms.gov/openpayments](https://www.cms.gov/openpayments).

What kinds of payments will be reported?

Drug and medical device manufacturers must report certain payments made to physicians and teaching hospitals. Examples include:

- Consulting fees
- Speaker fees
- Honoraria
- Gifts or vacations
- Entertainment, like tickets to a sporting event, concert, or theater show
- Food and beverage
- Travel and lodging
- Education, like textbooks and medical refresher courses
- Research activities, including enrolling patients in clinical trials
- Charitable contributions
- Royalties or licenses
- Current or prospective ownership or investment interest
- Grants, for example, to support education, operations, or meetings

Is there anything I need to do?

In order to review data that will be made public, and dispute reported data that you believe to be inaccurate, CMS encourages you to register with the Open Payments system by following the directions available at cms.gov/openpayments. You should also:

- Become familiar with Open Payments requirements and the information that will be reported about you.
- Make sure your information in the National Plan and Provider Enumeration System (NPPES - <https://nppes.cms.hhs.gov/NPPES/NPIRegistryHome.do>) is current. The Open Payments system may use this data to validate personal information that manufacturers submit about you.
- Keep track of your financial interactions with the health care industry.
- Sign up at cms.gov/openpayments to get email updates about the Open Payments program, including events and educational opportunities.
- Work with drug and device manufacturers to make sure the information submitted about you is correct.
- Review the information manufacturers may submit on your behalf prior to public posting.
- Learn what to do if you disagree with the information that's submitted. During the data review period held each year prior to data publication, you'll be allowed to dispute information that you don't think is accurate or complete.

Where can I get more information?

- Visit cms.gov/openpayments.
- Sign up at cms.gov/openpayments to get email updates about the Open Payments program, including events and educational opportunities.
- Visit medscape.com for a continuing medical education activity that's accredited by the Accreditation Council for Continuing Medical Education. You'll learn more about the steps involved in collecting and reporting physician data, key dates for implementation, and actions you can take to verify your information. Email questions to OpenPayments@cms.hhs.gov. Help Desk support is available by calling 1-855-326-8366, Monday through Friday, from 7:30 a.m. - 6:30 p.m. (CT), excluding federal holidays.

You have the right to get the information in this product in an alternate format. You also have the right to file a complaint if you feel you've been discriminated against. Visit CMS.gov/about-cms/agency-information/aboutwebsite/cmsnondiscriminationnotice.html, or call 1-800-MEDICARE for more information.

