



Open Payments

Overview and Enhancements for PY2023 Data Collection

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

October 2022

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.

Outline

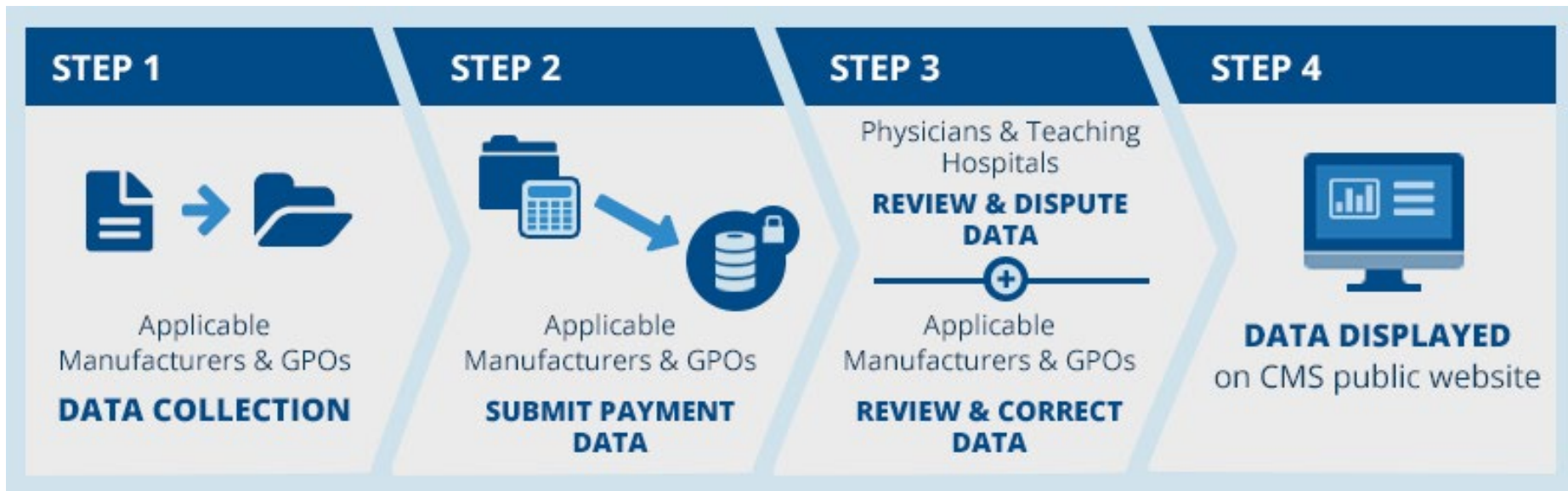
- Target Audience & Learning Objectives
- Open Payments Program
- Open Payments Definition
- Open Payments System Enhancements for PY2023 Data Collection
- Next Steps and Available Resources

Target Audience & Learning Objectives

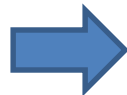
- Target audience:
 - Reporting Entities who want to gain an understanding of the new reporting requirements that will become effective with the PY2023 data collection.
- Learning objective:
 - Provide an overview of the upcoming reporting changes for PY2023 data collection.

Open Payments Program

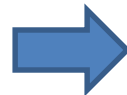
Open Payments Process Flow



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 resolve disputes.



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

Open Payments Definitions

Key Terms

- **Reporting Entities** – refers to pharmaceutical and medical device manufacturers and their distributors who are required to report payments and other transfers of value to Open Payments; also referred to as Applicable Manufacturers And Applicable Group Purchasing Organizations (AM/GPOs)
- **Covered Recipients** – refers to physicians, non-physician practitioners and teaching hospitals receiving payments or other transfers of value from AM/GPOs

For a complete list of key terms for Open Payments, refer to the Open Payments User Guide for Reporting Entities or Open Payments User Guide for Covered Recipients

Open Payments System Submissions Enhancements

Reporting No Payments or Transfer of Value to Report for a Program Year

- **Overview:** This submission enhancement is to allow reporting entities (officers and attesters) to indicate that they do not have any reportable payments/transfers of value (PTOV) for current or previous program years.
- This will allow reporting entities' officers to recertify in Open Payments on an annual basis even if they do not have any reportable PTOV for a specific Program Year (PY)
- As part of this enhancement, the following changes are made to the Open Payments system:
 - **Update Entity page** - The check box for recertification will be replaced with options to recertify and/or attest to no payments or transfers of value or ownership and investment interest to be reported for the current program year
 - **Manage Entity Page** - A new tab will be introduced under this page for the AM/GPO officer to indicate/update no reportable payments or transfers of value or ownership and investment interest to be reported for the selected program year
 - **Review Records Summary Page** – A new button is introduced in this page for the AM/GPO attesters, which upon clicking, will navigate them to the “Attest No PTOV Page”
 - **Attest No PTOV Page** - This is a new page introduced for the AM/GPO attesters where they can attest to NO PTOV for the selected program year

Required Reason for Deletion of Attested Records

- **Overview:** This enhancement will update the existing delete records functionality to require AM/GPO users to select a reason when deleting one or more attested records in the Open Payments system (OPS). The update will provide greater context to both Covered Recipients and AM/GPO users, and greater transparency to CMS regarding the reasons attested records are deleted.
- A new **required** field titled “Reason for Deletion” will be added to the following delete attested record functionalities in OPS:
 - Deleting via File Deletion
 - Deleting via Bulk File Upload
 - Manual Deletion
 - Deleting from the Review and Dispute tab
- AM/GPO users will be given the following reasons to choose from when deleting an attested record:
 - Correction to Covered Recipient Information (But to Same Covered Recipient)
 - Different Covered Recipient
 - Record Should Have Been Reported by a Different Applicable Manufacturer or Applicable GPO
 - Payment Had Not Been Furnished to the Covered Recipient
 - Disputed by Covered Recipient
 - Correction at CMS’s Request
 - Record was a Duplicate
 - Incorrect Record Classification
 - Check was Voided or Not Cashed
 - De Minimis was Not Met
 - Record Meets Reporting Exception
 - Other

Required Reason for Deletion of Attested Records (continued)

- If AM/GPO can't find a reason for deletion within the provided reasons, user can select the "Other" reason. Selecting "Other" will display a freeform text box field titled "Other Reason for Deletion" for the user to enter another reason for deletion.
- This enhancement will apply to all records in a status of "Attested" that are later deleted.
- Records already in a status of "Marked for Deletion" or "Deleted" will be unaffected by the change and will continue to be deleted. These records will not be updated to display the Reason for Deletion field.

Track Deleted Records and Link Them to New Records Submitted

- **Overview:** The Open Payments system will be enhanced with a feature to track deleted records and link them to new records for audit purposes. These enhancements are as follows:
 - Two new fields are introduced as input fields to be received from the users in both UI/Bulk submission template:
 - The first new field is a Yes/No indicator to tell if the record was previously deleted, attested and then later newly submitted
 - If the value of the indicator is selected as “Yes”, then, the new text field is displayed to provide the Record ID of previously deleted record
 - To assist AM/GPOs in gathering the record IDs for payment records that were previously submitted, attested, and then deleted, a new “Download Attested Deleted Records Utility” will be made available.
 - This feature will impact the below areas within the Open Payments system:
 - Manual Submission – Add Payment page, Review & Submit page, Overview page, View page, Edit Payment page, Copy payment page, and Submissions page
 - Bulk Submission templates – General, Research and Ownership templates for all program years
 - GUI error messages and error codes
- This enhancement will impact all the payment types for all the eligible Program Years

General Payments no longer eligible for delay in publication

- **Overview:** AM/GPOs will no longer be able to delay the publication of General Payments as that functionality will be removed from the Open Payments system.
- All program years are affected. Delays will not be renewable on all General Payments previously eligible for a renewal and, as a result, the associated payment records will be included in the next publication after the implementation of this enhancement.
- Highlights of changes to the Open Payments system are listed below:
 - Changes to manually requesting a delay in publication of General Payments:
 - When adding a General Payment, the General Record Information page will be updated to remove the “Delay in Publication of Research Payment Indicator” field.
 - Changes to requesting a delay in publication of a General Payment via Bulk File Upload:
 - The Upload Payments page will be updated to remove the value “Renew Delay in Publication” from the “Resubmission File Indicator” field if the value “General Payments” is selected from the “Payment Category” field.
 - The General Payments Reporting Templates will be updated to remove the data element “DELAY_IN_PUBLICATION_OF_RESEARCH_PAYMENT_INDICATOR” for all program years.

General Payments no longer eligible for delay in publication (continued)

- Changes to Review and Dispute:

- The Review and Dispute page for AM/GPO users will be updated to display a value of “No” for all General Payments under the “Delay in Publication of Research Payment Indicator” column.
- The Review and Dispute page for Covered Recipients will be updated to display a value of “N/A” on the “Delay in Publication of Research Payment Indicator” field for all General Payments.

General Payments – Nature of Payments Update

- **Overview:** Open Payments will update the General Payment’s Nature of Payment categories to remove the below category for PY 2023-onwards:
 - “Current or prospective ownership or investment interest”
- Current Nature of Payment categories will remain unchanged for eligible program years 2016 – 2022.

Open Payments (Sunshine Act)
Applicable Manufacturer or Group Purchasing Organization [Switch User Type](#)

Home Submissions Review and Dispute Manage Entities My Profile Messages
Resources

Add General Payment

Overview Covered Recipient Demographics Products **Payments** General Information Review & Save [User Guide](#)

General Payment or Other Transfer of Value Information

A field with an asterisk (*) is required.
Enter the required payment or transfer of value information.

*Total Amount of Payment: 00000.00 and maximum 12 digits
*Date of Payment: yyyymmdd ⓘ
*Number of Payments Included in Total Amount:

*Form of Payment or Transfer of Value: Please Select
*Nature of Payment or Transfer of Value: Please Select

Back Continue

Contact Us Privacy Policy

Please Select
Consulting Fee
Compensation for services other than consulting, including serving as faculty or as a speaker at a venue other than a continuing education program
Honoraria
Gift
Entertainment
Food and Beverage
Travel and Lodging
Education
Charitable Contribution
Royalty or License
Grant
Compensation for serving as faculty or as a speaker for a medical education program
Debt forgiveness
Long term medical supply or device loan
Acquisitions

Context Field for Teaching Hospital Payments

- **Overview:** With this enhancement, reporting entities (Applicable Manufacturers) will be required to enter context when submitting any General or Research Payment associated with a Teaching Hospital.
- The change applies only to General and Research Payments. Teaching Hospitals are unable to be associated with Ownership Payments.
- Only Applicable Manufacturers (AMs) may submit payments to Teaching Hospitals. Group Purchasing Organizations (GPOs) are unable to submit payments to Teaching Hospitals.
- Changes to Manual Submission:
 - A required “Context of Teaching Hospital Payment” text box field will be added for Reporting Entities (AMs) to use when submitting a Payment or Transfer of Value (PTOV) to a Teaching Hospital.
- Changes to Bulk File Upload:
 - The Reporting Templates for General and Research Payments will be updated to add the required data element column CONTEXT_OF_TH_PAYMENT for PY2023 onwards.

Open Payments System Registration Enhancements

Review & Dispute Contact Information

- **Overview:** This will enhance the Open Payments system by updating the Review & Dispute Contact Information fields for Applicable Manufacturers and Group Purchasing Organizations (AM/GPOs).
- AM/GPOs will be required to enter detailed contact information for up to two points of contact regarding the review and dispute (R&D) of payments and other transfers of value by Covered Recipients. This new enhancement will replace the current non-required free-form text box which was used by AM/GPOs to enter contact info.
- Highlights of changes to the Open Payments system are listed below:
 - Changes to Registering and Managing Entity:
 - When an AM/GPO user registers a new entity in OPS, the user will be required to enter values in the new required R&D contact information fields. The AM/GPO user is required to enter contact information for a primary point of contact and may optionally add information for a backup point of contact.
 - AM/GPO users will also be required to enter values in the updated contact fields during the annual recertification process. When an AM/GPO user selects an entity from the Manage Entities page, the Entity Profile page will continue to display the current R&D contact information. However, when the user selects “Update Entity”, the editable view will include the newly required R&D contact information fields. The AM/GPO user must enter data in the fields before the profile can be updated and the entity recertified.
- In turn, Covered Recipients will be able to view the specific R&D contact information provided by Reporting Entities.

Business Types Updates

- **Overview:** This will enhance the Open Payments application to update the text in the “Business Type” dropdown options for Applicable Manufacturers (AMs) and Applicable Group Purchasing Organization (GPOs) when registering or editing entities in Open Payments.
- Highlights of changes to the Open Payments system are listed below:
 - For Applicable Manufacturers:
 - The Current ‘**Applicable manufacturer-physician-owned**’ “Business Type” value will be updated to ‘**Applicable manufacturer-physician-owned distributorship**’
 - For Group Purchasing Organizations:
 - The Current ‘**GPO-physician-owned**’ “Business Type” value will be updated to ‘**GPO-physician-owned distributorship**’

Open Payments (Sunshine Act)

Applicable Manufacturer or Group Purchasing Organization [Switch User Type](#)



Create Profile

✓ Select Profile Type

② Register Entity


Entity Information


Your Roles


Nominate Additional Roles

③ Personal Information

④ Review and Submit Profile

 Access the Open Payments User Guide [PDF]

 Need help with the website? [Contact Us](#) by email

 Review the Open Payments Privacy Policy [PDF]

Register Entity

A field with an asterisk (*) is required.

Complete the information below to create a profile for an applicable manufacturer or applicable GPO.

*Entity's Legal Name:

Bob Chamira

*Reporting Entity Type:

- Applicable Manufacturer
 Group Purchasing Organization

*Business Type:

Please Select

Please Select

- Applicable manufacturer-drugs/biological
- Applicable manufacturer-devices/medical supplies
- Applicable manufacturer-drugs/biological and devices/medical supplies
- Applicable manufacturer-physician-owned distributorship**
- Applicable manufacturer-hospital-owned distributor
- Applicable manufacturer-distributor/supplier (non-hospital, non-physician-owned)

This is a 9-digit number

Available Resources

Available Resources

- Review available resources on the Resources page of the CMS Open Payments website at <https://www.cms.gov/OpenPayments/About/Resources.html>
- Subscribe to the Listserv
 - Receive Program updates through the Open Payments listserv
 - Subscribe at our Contact Us Page
(<https://www.cms.gov/OpenPayments/Contact-Us/Contact-Us>)
- Register for CMS email notifications via the Open Payments website to receive e-mail updates about Open Payments
- Open Payments Help Desk:
 - Email: openpayments@cms.hhs.gov
 - Phone: 1-855-326-8366 or for TTY line call 1-844-649-2766

Disclosure

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