

COMMENT AND PERSPECTIVE FROM THE OFFICE OF THE DEAN, UNIVERSITY OF CINCINNATI COLLEGE OF MEDICINE

June 9, 2014

The university has for some time required our faculty and staff to declare outside activities and relationships that may pose a conflict of interest in our daily work. Additional disclosure of payments from pharmaceutical companies and other manufacturers will soon be implemented through the Physician Payment Sunshine Act. I've asked Chris Lindsell, PhD, associate dean for clinical research, to highlight upcoming milestones in these important regulations to help us remain transparent and open in all our activities.



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The Physician Payment Sunshine Act



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The Physician Payment Sunshine Act is designed to encourage transparency in relationships between drug and device manufacturers and providers who prescribe those drugs and devices. Manufacturers of covered drugs, devices, biologicals and medical supplies are required to report payments or other transfers of value they make to physicians and teaching hospitals to the Centers for Medicare and Medicaid Services (CMS). CMS will publish the reported data on a publicly available website on Sept. 30, 2014. Data will include payments that were made to physicians and others with prescribing privileges between Aug. 1, 2013 and Dec. 31, 2013.

You can find out which payments to you will be publicly reported by accessing the Open Payments website as described below. To help manage the information that will be made public, please inform your business office if the total amount of payments that you received during that time period exceeds \$10,000. If appropriate, we will work with you and your department to highlight the importance of the funding for your research and educational activities. This new public information must coincide with OAR reporting. If not, please declare why prior to the information coming out under the Sunshine Act.

We will be sending additional notices as information about this process is obtained. What we currently know is:

- **Providers can now register with CMS** to get a password that will let them review the information that will be made public prior to public posting of the data. We expect those data to be available to review on or around July 1. To register for a password, go to the Open Payments website: www.cms.gov/Regulations-and-Guidance/Legislation/National-Physician-Payment-Transparency-Program/index.html.
- You can **register for an informational conference call** that will be held at 1:30 p.m. on June 12. The link to register is eventsvc.com/blhtechnologies.
- You can **sign up to receive email updates** on the Open Payments website: www.cms.gov/Regulations-and-Guidance/Legislation/National-Physician-Payment-Transparency-Program/index.html.

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The following payment information will be disclosed on the publicly available CMS website:

1. Applicable manufacturer's name
2. Physician's
 - a. Name (as listed in NPPES)
 - b. Specialty
 - c. Primary business street address (practice location)
 - d. National Provider Identifier (NPI) number
 - e. State Professional License Number
3. Amount of payment or other transfer of value
4. Date of payment or other transfer of value
5. Form of payment or other transfer of value (cash or cash equivalent, in-kind items or services, stock/stock options, dividend, etc.)
6. Nature of payment (e.g., consulting fee, honoraria, speaking, travel, grant, education, research, medical legal expert witness activities, etc.)
7. The name of the related drug, device, biological or supply
8. Eligibility for delayed publication (research payments)
9. Name of entity that received the payment or other transfer of value, if not provided to the physician directly (indirect payments)
 - a. Payment to third party at request of; or
 - b. Designated on behalf of physician
10. Payments or transfers of value to physician owners or investors

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