Physician Payments Sunshine Act: Resident Must Knows

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Physician Payments Sunshine Act

• **Physician Payments Sunshine Act** is a 2010 United States healthcare law to increase transparency of financial relationships between health care providers and pharmaceutical manufacturers and industry vendors

• The Centers for Medicare & Medicaid Services (CMS) fulfills the law’s mandate through the Open Payments Program where industry reports recipient payments on the public forum

• Physicians have 45 days to review their Open Payments data and dispute errors before public release
What is the Rule?

• The rule defines “physician” as a doctor of medicine or osteopathy, a dentist, a podiatrist, an optometrist, or a chiropractor who is legally authorized to practice by the state in which he or she works

***APN, RN, PA-C, RESIDENTS, and pharmacists are not covered recipients***

• Payments made to non-physician prescribers to be passed through to a doctor are considered indirect payments to the physician and, therefore, would have to be reported under the name of the doctor

How Do I Know If I Have Been Reported?

1. Enter the url: https://www.cms.gov/openpayments/
2. Under search and explore, click use the search tool
3. Search your name
4. Under payment information – you can view the details of the reported payments
How Do I Know If I Have Been Reported?

- You may attempt to click “Review or dispute your reported data” – however, resident efforts to retroactively remove names has been unsuccessful so far.

- Prevention is the key!!

What Now? What Should Residents Do?

- It is imperative for all residents to be aware of the Sunshine Act and what it entails.
- Residents are specifically **exempt** from being reported to CMS as recipients.
- Once reported to CMS on the open payment website, it is difficult, if not impossible, to remove one’s name and contribution associated.
- **Moving forward, spread awareness throughout your residencies about the Sunshine Act.**
- **During industry sponsored events (lunches, dinners, journal club, educational trips) – make sure to communicate with the industry reps about not being reported as recipients.**