

## Open Payments Sunshine Program Increases Transparency in Health Care

By Mark A. Levine, MD, FACP, Chief Medical Officer, Denver Regional Office

As part of the Open Payments program, the Centers for Medicare & Medicaid Services (CMS) will soon make data about the financial relationships between the health care industry and physicians (e.g. including medical doctors, doctors of osteopathy, dentists, chiropractors, and others) and teaching hospitals available to the public. Offering this data will create more transparency and allow those interested to use, analyze and monitor it.

Open Payments, previously known as the Sunshine Act, is a federal transparency program enacted by Congress in 2010. Under this program, CMS collects and publicly reports data about payments (“transfers of value”), ownership, or investment interests between drug and device manufacturers and physicians and teaching hospitals. Beginning with the last five months of 2013, CMS will collect this data annually from industry and make it publicly available, downloadable, and searchable. Every year CMS will continue to release this financial information as it becomes available about the prior year (e.g. by June 30, 2015 for 2014 data).

These financial interactions can happen for many reasons: research, conference travel and lodging, gifts, and consulting. They can foster collaboration among physicians, teaching hospitals, and industry manufacturers that may contribute to the design and delivery of life-saving drugs and devices. However, they also can potentially lead to conflicts of interest in how health care providers prescribe medications or give medical care.

While CMS doesn’t make assumptions or draw conclusions about the reported information, the Agency will take steps to ensure that only accurate information is made public. For example, as part of this initial data collection process, CMS has engaged stakeholders as pilot users to ensure that reporting systems are user-friendly and performing properly.

In addition, CMS will give physicians and teaching hospitals an opportunity to be sure that information reported about them is accurate. In order to review the data and make corrections if necessary, physicians and teaching hospitals must first register in CMS’ Enterprise Portal starting on June 1, 2014. Then, starting in July, they must register in the Open Payments system (via CMS’ Enterprise Portal). This voluntary review and dispute period is open for 45 days.

**CMS strongly encourages** physicians and teaching hospitals to register in our Enterprise Portal and Open Payments systems so they can review their specific data. Any data that physicians or teaching hospital dispute, but is not corrected by industry within the dispute resolution period, will be included when the data is made public and marked as disputed.

It is important that physicians or teaching hospitals know about this program, how and what financial relationships are reported, and how to answer questions from patients. Visit [go.cms.gov/openpayments](http://go.cms.gov/openpayments) to get more information about Open Payments (the Sunshine Act) and the resources available to understand the program. Health care providers and others with questions and concerns can be emailed to [openpayments@cms.hhs.gov](mailto:openpayments@cms.hhs.gov).

*This information is provided by the United States Department of Health and Human Services.*