

FEDERAL OPEN PAYMENTS LAW:

Important information for UAB physicians, dentists, and optometrists

OPEN PAYMENTS: CREATING PUBLIC TRANSPARENCY OF INDUSTRY — PROVIDER FINANCIAL RELATIONSHIPS

- ◆ **Pharmaceutical and medical device/supply companies are required to report to CMS all direct and indirect transfers of value \geq \$10 to individual physicians, dentists, and optometrists (“providers”)**
- ◆ **CMS will make reports publicly available via the web**
- ◆ **Data collection begins August 2013 and public reporting begins September 30, 2014—annually thereafter**

The federal Open Payments Law (also known as the Physician Payment Sunshine Act) requires pharmaceutical and medical device/supply companies to report to Centers for Medicare & Medicaid Services both direct and indirect transfers of value to certain providers and teaching hospitals.

Typical direct transfers of value—called covered payments—include consulting fees, honoraria, gifts, entertainment, food, travel, education, and charitable contributions. Industry research awards are treated as indirect payments to the principal investigator. Certain unrestricted gifts made to the University and continuing education payments are excluded. Covered payments will be reported on a public website and updated annually. Data will be collected beginning August 2013 and first published in Fall 2014.

This federal law does not require providers to report payments to CMS, but there are steps to being prepared (see insert to right). Data published on the CMS website may not align exactly with UAB providers’ required submissions under [UAB Enterprise Conflict of Interest and Conflict of Commitment Policy](#). It is important for providers to review all reports for completeness and accuracy.

For more information, visit go.cms.gov/openpayments.

WHAT PROVIDERS NEED TO DO:

BE AWARE: Familiarize yourself with the types of payments that will be reported by industry to CMS.

BE DILIGENT: Ensure you are following UAB’s Conflict of Interest and Conflict of Commitment Policy and your school’s policy on relationships with industry. File all necessary forms to request advance approval for external activities and to disclose financial interests.

BE PROACTIVE: Work with your contracting office to process institutional agreements. Connect potential donors of charitable gifts to your school’s development office. Otherwise, such payments may be attributed to you, when in fact they belong to UAB.

BE READY: When the window for your registration and pre-review of reports opens, dedicate time to register and log-in to view payments attributed to you.

BE ASSERTIVE: Work with industry to correct payments attributed to you. Changes cannot always be made, but public reports will indicate disputed payments.

BE CURIOUS: Contact your compliance office with questions about your specific circumstances. Stay tuned for more helpful information to come.

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