

HEALTH CARE ALERT

7/23/14

Physicians and Teaching Hospitals Should Register and Review Reporting of Payments Made and Interests Held Before They are Released to the Public

By **Saqib Ishaq**

On September 30, 2014, the Centers for Medicare and Medicaid Services (“CMS”) will release information to the public relating to certain payments to physicians and teaching hospitals (collectively “Covered Providers”) from drug/device manufacturers and group purchasing organizations, as well as information on physician ownership and investment interests in certain drug/device manufacturers (“Manufacturers”) and group purchasing organizations (“GPOs”). The information being released was acquired by CMS from the Manufacturers and GPOs pursuant to Section 6002 of the Patient Protection and Affordable Care Act, which requires the Manufacturers and GPOs to report on an ongoing annual basis any payments or transfers of value to any Covered Provider. Further, the Manufacturers and GPOs are required to report any ownership or investment interest held in the Manufacturer or GPO by a physician (where the definition of a “physician” includes dentists, optometrists and other health care providers), or the physician’s immediate family member.

Covered Providers who believe information relating to them may have been reported to CMS by a Manufacturer or GPO should exercise their right to review, and if necessary dispute, that information. In order to exercise the right to review and dispute any information provided to CMS, a Covered Provider must first register with CMS. CMS is advising Covered Providers to register as soon as possible because the registration process, which includes verifying the physician’s identity, may take some time. A Covered Provider has until **AUGUST 27, 2014** to review the information provided to CMS and dispute any inaccurate information with the Manufacturer or GPO. If the Covered Provider and Manufacturer/GPO are unable to resolve a dispute as to the accuracy of information provided to CMS by September 11, 2014, the disputed information will be posted to CMS’ website, along with all undisputed information, on September 30, 2014, with a notation that the information is currently under dispute.

A link to CMS’ registration page is provided below:

<http://www.cms.gov/Regulations-and-Guidance/Legislation/National-Physician-Payment-Transparency-Program/Program-Registration.html>

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