

Sunshine Act for doctor payments implementation delayed

Written by Grassley Press

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Wednesday, Oct. 19, 2011

Sen. Chuck Grassley of Iowa today made the following comment on the Centers for Medicare and Medicaid Services' (CMS) continued delays in implementing the Physician Payment Sunshine Act (Sunshine Act), a new law requiring public disclosure of the financial relationships between physicians and the pharmaceutical, medical device and biologics industries.

"It's disappointing that the agency is going so slowly on this issue. Of all the undertakings for CMS, this seems like one of the most straightforward tasks. The law was enacted a year and a half ago, and the legislation was pending for a long time before that. It wasn't a surprise. I'll continue to look for CMS to get this done sooner rather than later."

The Sunshine Act requires manufacturers to report all payments to physicians, including consulting fees, honoraria, travel and entertainment, and for the Department of Health and Human Services (HHS) to publicly disclose the identity of the manufacturer, physician, and the drug or device associated with the payment on the Internet. Additionally, the law requires manufacturers and group purchasing organizations (GPOs) to report all ownership or investment interests held by physicians or members of their family, and for making that information public. The law required the federal government to establish guidance on how manufacturers submit information and how the information would be made available to the public no later than Oct. 1, 2011.

After CMS missed the deadline, Grassley and Sen. Herb Kohl wrote to the agency, asking for a description of the status and reason for delay. The senators asked for a written response by Friday, Oct. 14. So far, no written response has been forthcoming.

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Grassley and Kohl's Oct. 3 letter to the agency is available [here](#) . In November 2010, Grassley and Kohl urged HHS to issue guidelines to companies in anticipation of the Sunshine Act's implementation. Details are available [here](#)

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Kohl is chairman of the Senate Special Committee on Aging and Grassley is ranking member of the Senate Judiciary Committee and formerly was ranking member and chairman of the Committee on Finance. They sponsored the Physician Payment Sunshine Act, which became law as part of the health care overhaul enacted last year.

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