

Building Your Toolbox to Manage Conflict of Interest: *Sunshine, Open Payments, and Investigations*

Presented by



CJ Wolf MD, CHC, CPC, COC, CCEP

Healthicity | Senior Compliance Executive

cj.wolf@healthicity.com



This Session Uses Polling



To participate in polling:

Download the “HCCA Mobile” in your app store.

Then under agenda find this session, scroll to the bottom and click “Poll Question” or go to **www.PollEv.com/hcca** to answer the active poll





How would you rate your knowledge of the Sunshine (payment transparency) laws and data?

I know nothing

I know a little

Semi-pro

Pro All-Star



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Recent COI Incidents

The Media—NY Times and ProPublica



Top Cancer Doctor, Forced Out Over Ties to Drug Makers, Joins Their Ranks



Dr. José Baselga will join AstraZeneca, the British-Swedish drug maker, in a new position as head of research and development in oncology. Slaven Vlasic/Getty Images

Memorial Sloan Kettering Leaders Violated Conflict-of-Interest Rules, Report Finds



Memorial Sloan Kettering Cancer Center in Manhattan. The center announced an overhaul of its policies on Thursday after an outside review found that top officials repeatedly violated conflict-of-interest rules. Jeenah Moon for The New York Times

Foreign Interests



NIH is investigating researchers who might have failed to disclose contributions from foreign governments

By LEV FACHER @levfacher / AUGUST 23, 2018



Francis Collins, the director of the National Institutes of Health
BILL CLARK/GETTY IMAGES

<https://www.statnews.com/2018/08/23/nih-is-investigating-researchers-who-might-have-failed-to-disclose-contributions-from-foreign-governments/>

MD Anderson ousts 3 scientists over concerns about Chinese conflicts of interest

Todd Ackerman | April 19, 2019 | Updated: April 20, 2019 11:04 p.m.



<https://www.houstonchronicle.com/news/houston-texas/houston/article/MD-Anderson-fires-3-scientists-over-concerns-13780570.php>

Peer Reviewed Journals



 PROPUBLICA TOPICS ▼ SERIES ▼ ABOUT

Prominent Doctors Aren't Disclosing Their Industry Ties in Medical Journal Studies. And Journals Are Doing Little to Enforce Their Rules

The dean of Yale's medical school, the incoming president of a prominent cancer group and the head of a Texas cancer center are among leading medical figures who have not accurately disclosed their relationships with drug companies.

by Charles Ornstein, ProPublica, and Katie Thomas, The New York Times, Dec. 8, 2018, 10 a.m. EST

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Monday, March 11, 2019

Covidien to Pay Over \$17 Million to The United States for Allegedly Providing Illegal Remuneration in the Form of Practice and Market Development Support to Physicians

Covidien LP has agreed to pay \$17,477,947 to resolve allegations that it violated the False Claims Act by providing free or discounted practice development and market development support to physicians located in California and Florida to induce purchases of Covidien's vein ablation products, the Department of Justice announced today.

"Today's settlement serves as an important reminder to those in the health care community that unlawful kickbacks come in many forms and are not limited to monetary payments to providers," said Assistant Attorney General Jody Hunt for the Department of Justice's Civil Division. "Providing free or discounted services to health care providers to induce the use of certain items or services can lead to excessive and unnecessary treatments, and drive up health care costs for everyone."

"Patients in federal health care programs deserve medical care that is free from improper financial incentives," said U.S. Attorney David L. Anderson for the Northern District of California. "As this case makes clear, companies must steer clear of

Department of Justice

U.S. Attorney's Office

District of Connecticut

SHARE 

FOR IMMEDIATE RELEASE

Wednesday, August 8, 2018

Drug Company Manager Admits Role in Kickback Scheme Related to Fentanyl Spray Prescriptions

John H. Durham, United States Attorney for the District of Connecticut, announced that JEFFREY PEARLMAN, 51, of Edgewood, N.J., pleaded guilty today before U.S. District Judge Janet Bond Arterton in New Haven to engaging in a kickback scheme that defrauded federal healthcare programs.

According to court documents and statements made in court, from approximately September 2012 until November 2015, PEARLMAN was employed by Insys Therapeutics, an Arizona-based pharmaceutical company that manufactured and sold Subsys, a fentanyl-based sublingual spray that was approved by the Food and Drug Administration solely for the management of breakthrough pain in cancer patients. The

Department of Justice

U.S. Attorney's Office

District of New Hampshire

SHARE 

FOR IMMEDIATE RELEASE

Tuesday, December 18, 2018

Former Physician Assistant Convicted In Kickback Scheme

Concord - United States Attorney Scott W. Murray announced that a federal jury found Christopher Clough, 44, of Dover, New Hampshire guilty of participating in a scheme in which he received kickbacks in exchange for prescribing a powerful fentanyl spray to patients in violation of federal law.

According to testimony during the trial, which began on December 11, 2018, Clough worked as a physician assistant in New Hampshire. After being approached by a representative of a drug manufacturer in June of 2013, he became a frequent prescriber of a fentanyl spray that had been approved by the Food and Drug Administration to treat breakthrough cancer pain. From approximately June of 2013 through the fall of 2014, Clough wrote more than 750 prescriptions for the fentanyl spray in New



In the context of conflict of interest, what would you describe as your biggest compliance concern?

Failure of individuals to fully disclose
potential conflicts

Lack of institutional support for a strong
COI compliance policy/program

Lack of financial resources for COI
compliance program

Lack of human resources for COI
compliance program

Other

Professional Discussions



JAMA issue May 2, 2017, Vol 317, No. 17, Pages 1707-1812

- “Conflict of Interest: Why Does It Matter?” Harvey V. Fineberg, MD, PhD
- “Payments to Physicians-Does the Amount of Money Make a Difference?”
Bernard Lo, MD; Deborah Grady, MD, MPH
- “Physicians, Industry Payments for Food and Beverages, and Drug Prescribing” Robert Steinbrook, MD
- “Association Between Academic Medical Center Pharmaceutical Detailing Policies and Physician Prescribing”
Ian Larkin, PhD; Desmond Ang, MS; Jonathan Steinhart, MA; et al



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Mining the Data

Dollars for Docs

By Mike Tigas, Ryann Grochowski Jones, Charles Ornstein, and Lena Groeger, ProPublica. Updated June 28, 2018

Pharmaceutical and medical device companies are required by law to release details of their payments to a variety of doctors and U.S. teaching hospitals for promotional talks, research and consulting, among other categories. Use this tool to search for general payments (excluding research and ownership interests) made from August 2013 to December 2016. | [Related Story: Opioid Makers, Blamed for Overdose Epidemic, Cut Back on Marketing Payments to Doctors](#) →

Has Your Doctor Received Drug or Device Company Money?

All States ▼

Search

For example: [Andrew Jones](#), [Boston](#), [10013](#)



\$9.15B

in disclosed payments



904,922

doctors



1,216

teaching hospitals



2,005

companies

Totals listed below account for all payments from August 2013 to December 2016.

[Top 50 Companies](#)

[Highest-Earning Doctors](#)

About the Dollars for Docs Data

Details behind our drug company money database.

Download the Data

The entire data set is available for purchase in the [ProPublica Data Store](#).

Source

The Centers for Medicare and Medicaid Services [Open Payments](#) data.

Archive

Search for payments made by 17 drug companies between 2009 and 2013.



Search Open Payments

The Open Payments Search Tool is used to search payments made by drug and medical device companies to physicians and teaching hospitals.



Or use the [Advanced Search](#)

Open Payments data is from August 2013 to December 2017 – [See About page](#)

The Facts on Open Payments

2017 Open Payments Data ▼



Total US Dollar Value
8.31 Billion



Total Records Published
11.27 Million



[Explore the Facts on Open Payments Data](#)

Medicare

Medicaid/CHIP

Medicare-Medicaid
CoordinationPrivate
InsuranceInnovation
CenterRegulations &
GuidanceResearch, Statistics,
Data & SystemsOutreach &
Education[Home](#) > [Open Payments](#) > [Explore the Data](#) > [Dataset Downloads](#)

Open Payments

About▼

Explore the Data▼

Program
Participants▼

FAQs

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Explore the Data

[Data Overview](#)[Dataset Downloads](#)[Data Explorer](#)[Reports to States](#)[Use the Search Tool](#)

Additional Resources

[Methodology and Data Dictionary
Document](#)[View Summary Data](#)

Dataset Downloads

Before you download

Some datasets, particularly the general payments dataset included in these zip files, are extremely large and may be burdensome to download and/or cause computer performance issues. Downloading the files with the assistance of the Akamai Download Manager application should make downloading the data easier by offering the option to pause and restart downloading to minimize resource allocation impact. Be advised that the file size, once downloaded, may still be prohibitive if you are not using a robust data viewing application. Microsoft Excel has limitations on the number of records it can display, which this file exceeds. CMS recommends against using Windows File Compression to decompress downloaded files. Programs recommended for file decompression are WinZip, WinRAR, and 7-Zip.

Use the [search tool](#) or [Data Explorer](#) as alternatives to search and refine views of the larger Open Payments data sets. Read more about the Akamai Download Manager [here](#).

Complete 2017 Program Year Open Payments Dataset



A complete set of all data from the 2017 Program Year, which includes data reported about payments made from January 1 through December 31, 2017.

[Download Complete 2017 Program Year Dataset](#)[Download without Akamai Download Manager](#)

General Payments Categories



- Consulting Fee
- Honoraria
- Gift
- Entertainment
- Food and Beverage
- Travel and Lodging
- Education
- Charitable Contribution
- Royalty or License
- Grant
- Compensation for services other than consulting, including serving as faculty or as a speaker at a venue other than a continuing education program;
- Current or prospective ownership or investment interest;
- Compensation for serving as faculty or as a speaker for a non-accredited and noncertified continuing education program;
- Compensation for serving as faculty or as a speaker for an accredited or certified continuing education program;
- Space rental or facility fees (teaching hospital only);



Which statement best describes your organization's policy on acceptance of gifts from industry (eg, Pharma, MedDevice, etc.)?

All gifts, even minimal value, are strictly prohibited

Occasional gifts of “small” value are allowed

Gifts are allowed if approved through an existing policy/procedure

There are no prohibitions associated with gift acceptance at all

Nature of Payment: Gift

Physician_Specialty	U	AE	Form_c	Nature_of_Payment_or_Transfer_of_Value
Physician_Specialty	Physici	Total_Amount_of_Payment_USDollars	Form_c	Nature_of_Payment_or_Transfer_of_Value
Allopathic & Osteopathic Physicians Ophthalmology	CO	25000	Cash or ca	Gift
Allopathic & Osteopathic Physicians Orthopaedic Surgery Orthopaedic Surgery of the Spine	CA	3000	Cash or ca	Gift
Allopathic & Osteopathic Physicians Plastic Surgery	CA	2500	Cash or ca	Gift
Allopathic & Osteopathic Physicians Plastic Surgery	CA	2500	Cash or ca	Gift
Allopathic & Osteopathic Physicians Surgery Plastic and Reconstructive Surgery	NV	2100	Cash or ca	Gift
Allopathic & Osteopathic Physicians Surgery Plastic and Reconstructive Surgery	CA	1400	Cash or ca	Gift
Allopathic & Osteopathic Physicians Surgery Plastic and Reconstructive Surgery	CA	1400	Cash or ca	Gift
Allopathic & Osteopathic Physicians Obstetrics & Gynecology	MO	1050	Cash or ca	Gift
Dental Providers Dentist General Practice	PA	1000	Cash or ca	Gift
Allopathic & Osteopathic Physicians Internal Medicine	OH	866.4	Cash or ca	Gift
Allopathic & Osteopathic Physicians Obstetrics & Gynecology	MI	795	Cash or ca	Gift
Dental Providers Dentist General Practice	FL	750	Cash or ca	Gift
Allopathic & Osteopathic Physicians Surgery Plastic and Reconstructive Surgery	WA	735.41	Cash or ca	Gift
Allopathic & Osteopathic Physicians Obstetrics & Gynecology	MO	700	Cash or ca	Gift
Allopathic & Osteopathic Physicians Plastic Surgery	IL	558.6	Cash or ca	Gift
Dental Providers Dentist	PA	554	Cash or ca	Gift
Dental Providers Dentist General Practice	NY	554	Cash or ca	Gift
Dental Providers Dentist General Practice	PA	554	Cash or ca	Gift
Dental Providers Dentist General Practice	PA	554	Cash or ca	Gift
Dental Providers Dentist	TX	554	Cash or ca	Gift
Dental Providers Dentist	IL	554	Cash or ca	Gift
Dental Providers Dentist	CA	554	Cash or ca	Gift

Nature of Payment: Gift

Device or Drug Name

Indicate_Drug_or_Biological_or_Device_or_Medical_Supply_1	Product_Category_or_Therapeutic_Area_1	Name_of_Drug_or_Biological_or_Device_or_Medical_Supply_1
Device	DENTISTRY	
Device	DENTISTRY	
Device	DENTISTRY	
Device	Optometrist	OCT
Device	Electrosurgical	ERBE
Device	Cardiac	Cardius 3m
Device	Dental Adhesive	Scotchbond Universal Adhesive
Device	DENTISTRY	
Device	DENTISTRY	
Device	Cardiac	Cardius 3m
Device	Cardiac	Cardius 3m
Device	Cardiac	Cardius 3m
Device	Cardiac	Cardius 3m
Device	Cardiac	Cardius 3m
Device	Cardiac	Cardius 3m
Device	DENTISTRY	
Device	DENTISTRY	
Device	DENTISTRY	

Nature of Payment: Gift

Frequency of Events (same physician)

Physician_First_Name	Physician_Last_Name	Total_Amount_of_Payment_USDollars	Form_code	Nature_of_Payment_or_Transfer_of_Value
E	P	73.68	Cash or ca	Gift
E	P	73.68	Cash or ca	Gift
E	P	55.26	Cash or ca	Gift
E	P	50	Cash or ca	Gift
E	P	50	Cash or ca	Gift
E	P	47.86	Cash or ca	Gift
E	P	36.84	Cash or ca	Gift
E	P	35	Cash or ca	Gift
E	P	26.25	Cash or ca	Gift
E	P	25	Cash or ca	Gift
E	P	25	Cash or ca	Gift
E	P	25	Cash or ca	Gift
E	P	25	Cash or ca	Gift
E	P	25	Cash or ca	Gift
E	P	25	Cash or ca	Gift
E	P	25	Cash or ca	Gift
E	P	25	Cash or ca	Gift
E	P	25	Cash or ca	Gift
E	P	25	Cash or ca	Gift
E	P	25	Cash or ca	Gift
E	P	25	Cash or ca	Gift
E	P	24.49	Cash or ca	Gift
E	P	23.94	Cash or ca	Gift
E	P	23.94	Cash or ca	Gift

Nature of Payment: Travel

Physician_First_Name	Physician_Last_Name	Total_Amount_of_Payment_USDollars	Form_of_Payment_or_Tr	Nature_of_Payment_or_T
H	G	25000	In-kind items and services	Travel and Lodging
A	S	19896.28	In-kind items and services	Travel and Lodging
D	Ei	14423.83	In-kind items and services	Travel and Lodging
K	V	13611.44	In-kind items and services	Travel and Lodging
S	G	13501.46	Cash or cash equivalent	Travel and Lodging
Y	H	12317.42	In-kind items and services	Travel and Lodging
N	Si	12281.7	In-kind items and services	Travel and Lodging
S	M	12277.5	In-kind items and services	Travel and Lodging
R	P	11997.77	In-kind items and services	Travel and Lodging
R	G	11349	In-kind items and services	Travel and Lodging
S	Si	11170.99	In-kind items and services	Travel and Lodging
B	C	11082.4	In-kind items and services	Travel and Lodging
A	D	10442.51	In-kind items and services	Travel and Lodging
R	Fi	10433.94	In-kind items and services	Travel and Lodging
A	S'	10152.82	In-kind items and services	Travel and Lodging
Ir	A	10087.38	In-kind items and services	Travel and Lodging
S	G	10069.76	Cash or cash equivalent	Travel and Lodging
K	Si	9923.51	In-kind items and services	Travel and Lodging
Ji	V	9749.68	Cash or cash equivalent	Travel and Lodging
Ji	D	9605.85	In-kind items and services	Travel and Lodging
T	K	9123.81	In-kind items and services	Travel and Lodging
H	N	9097.18	In-kind items and services	Travel and Lodging

Nature of Payment: Travel

City, State, Country of Travel

Total_Amount_of_Payment_USDollars	City_of_Travel	State_of_Travel	Country_of_Travel
25000	Sydney		Australia
19896.28	LISBON		Portugal
14423.83	Amsterdam		Netherlands
13611.44	Amsterdam		Netherlands
13501.46	Bangkok		Thailand
12317.42	Amsterdam		Netherlands
12281.7	Amsterdam		Netherlands
12277.5	Amsterdam		Netherlands
11997.77	Amsterdam		Netherlands
11349	BANGKOK		Thailand
11170.99	Amsterdam		Netherlands
11082.4	London		Great Britain (Uk)
10442.51	LISBON		Portugal
10433.94	LISBON		Portugal
10152.82	PRAGUE		Czech Republic
10087.38	Amsterdam		Netherlands
10069.76	Sandiago		Chile
9923.51	Munich		Germany
9749.68	Sydney		Australia
9605.85	Amsterdam		Netherlands
9123.81	LISBON		Portugal
9097.18	YOKNEAM		Israel

Nature of Payment: Travel

Frequency (same physician)

Physician_First_Name	Physician_Last_Name	Total_Amount_of_Payment_USDollars	Date_of_Payment	City_of_Travel	State_of_Travel	Contextual_Information
R	D	2300.49	7/27/2017	Edison	NJ	Speaker Expenses
R	D	1122.1	6/22/2017	Albany	NY	Speaker Expenses
R	D	1089.55	7/10/2017	Houston	TX	Speaker Expenses
R	D	1085.75	3/29/2017	McAllen	TX	Speaker Expenses
R	D	964.53	6/1/2017	Houston	TX	Speaker Expenses
R	D	933.21	8/7/2017	Laredo	TX	Speaker Expenses
R	D	886.12	9/27/2017	Corpus Christi	TX	Speaker Expenses
R	D	723.78	6/21/2017	Charlotte	NC	Speaker Expenses
R	D	618.14	12/1/2017	Sherman Oaks	CA	Speaker Expenses
R	D	575.63	11/30/2017	Beverly Hills	CA	Speaker Expenses
R	D	519.78	5/15/2017	El Paso	TX	Speaker Expenses
R	D	497.5	4/3/2017	Lubbock	TX	Speaker Expenses
R	D	487.4	3/31/2017	Keller	TX	Speaker Expenses
R	D	429.4	12/1/2017	Sherman Oaks	CA	Speaker Expenses
R	D	419.4	6/15/2017	Rosemont	IL	Speaker Expenses
R	D	392.4	8/17/2017	Marietta	GA	Speaker Expenses
R	D	367.88	8/17/2017	Johns Creek	GA	Speaker Expenses
R	D	350.8	6/14/2017	Chicago	IL	Speaker Expenses
R	D	348.94	7/27/2017	Edison	NJ	Speaker Expenses
R	D	268.85	6/15/2017	Rosemont	IL	Speaker Expenses
R	D	267.52	5/16/2017	El Paso	TX	Speaker Expenses
R	D	256.35	6/13/2017	San Diego	CA	Consulting Expenses

Nature of Payment: Entertainment

Physician_Specialty	Physician	Amount_of_Payment_USD	Date_of_Payment	Form_of_Payment_or_Tr	Nature_of_Payment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	MO	994.74	6/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	NY	722.4	8/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	ID	702.6	8/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	HI	676.63	12/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	CA	676.63	12/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	AZ	676.63	12/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	IL	676.63	12/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	FL	676.63	12/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	NM	676.63	12/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	CA	676.62	12/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	NJ	646.4	9/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	PA	636.5	8/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	MD	600.56	6/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist	DC	591.96	6/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	TX	582.61	11/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	MO	538.87	6/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	TX	519.04	8/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	NY	513.6	10/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	OK	507.6	11/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	VA	503.6	9/1/2017	Cash or cash equivalent	Entertainment
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	TX	499.4	8/1/2017	Cash or cash equivalent	Entertainment



Which statement best describes your organization's policy on acceptance of food and beverage from industry (eg, Pharma, MedDevice, etc.)?

All food and beverage, even minimal value, is strictly prohibited

Occasional, reasonable food and beverage is allowed if accompanied by product education or training

Food and beverage is allowed if approved through an existing policy/procedure

There are no prohibitions associated with food and beverage at all



Nature of Payment: Food

Physician_Specialty	Physician_State	Amount_of_Payment_USD	Date_of_Payment	Form_of_Payment_or_Transfer_of_Value	Nature_of_Payment_or_Transfer_of_Value	Contextual_Information
Allopathic & Osteopathic Physicians Plastic Surgery	NJ	712.14	11/9/2017	Cash or cash equivalent	Food and Beverage	
Allopathic & Osteopathic Physicians Internal Medicine Hematology & Oncology	KS	704.59	5/3/2017	In-kind items and services	Food and Beverage	
Allopathic & Osteopathic Physicians Internal Medicine Endocrinology, Diabetes & Metabolism	MO	688.01	1/10/2017	In-kind items and services	Food and Beverage	Informational Meal
Allopathic & Osteopathic Physicians Internal Medicine Endocrinology, Diabetes & Metabolism	NJ	661.09	1/3/2017	In-kind items and services	Food and Beverage	Informational Meal
Allopathic & Osteopathic Physicians Neurological Surgery	NY	652	6/2/2017	Cash or cash equivalent	Food and Beverage	
Allopathic & Osteopathic Physicians Surgery	FL	616	1/7/2017	Cash or cash equivalent	Food and Beverage	
Allopathic & Osteopathic Physicians Surgery	TX	616	1/7/2017	Cash or cash equivalent	Food and Beverage	
Allopathic & Osteopathic Physicians Surgery Vascular Surgery	SC	616	1/7/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	TN	605.34	4/23/2017	Cash or cash equivalent	Food and Beverage	
Allopathic & Osteopathic Physicians Surgery	FL	588	1/6/2017	Cash or cash equivalent	Food and Beverage	
Allopathic & Osteopathic Physicians Surgery Vascular Surgery	SC	588	1/6/2017	Cash or cash equivalent	Food and Beverage	
Allopathic & Osteopathic Physicians Orthopaedic Surgery Orthopaedic Surgery of the Spine	NJ	584.3	2/7/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	NY	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	NY	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist	NY	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	NY	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	NY	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	NY	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	TN	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist	OH	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	AL	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	OH	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	PA	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	PA	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	NY	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	PA	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	OH	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist	NY	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist General Practice	MI	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	PA	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Dental Providers Dentist Orthodontics and Dentofacial Orthopedics	NY	562.9	5/5/2017	Cash or cash equivalent	Food and Beverage	
Allopathic & Osteopathic Physicians Internal Medicine	MO	508.47	1/6/2017	In-kind items and services	Food and Beverage	Informational Meal
Allopathic & Osteopathic Physicians Orthopaedic Surgery Orthopaedic Surgery of the Spine	TX	499.2	1/11/2017	Cash or cash equivalent	Food and Beverage	
Allopathic & Osteopathic Physicians Orthopaedic Surgery	FL	490.67	2/1/2017	Cash or cash equivalent	Food and Beverage	
Allopathic & Osteopathic Physicians Internal Medicine	MO	482.04	1/1/2017	In-kind items and services	Food and Beverage	Informational Meal
Allopathic & Osteopathic Physicians Internal Medicine	PA	480.43	1/9/2017	In-kind items and services	Food and Beverage	Informational Meal

Nature of Payment: Food

Frequency (same physician)

Physician_Specialty	Phy	unt_of_Paym	ate_of_Payr	Nature_of_Paym	Contextual_Information
Allopathic & Osteopathic Physicians Family Medicine	NY	18.99	3/31/2017	Food and Beverage	Educational Program
Allopathic & Osteopathic Physicians Family Medicine	NY	17.8	8/7/2017	Food and Beverage	Related to product discussion
Allopathic & Osteopathic Physicians Family Medicine	NY	19.13	2/23/2017	Food and Beverage	
Allopathic & Osteopathic Physicians Family Medicine	NY	18.48	4/17/2017	Food and Beverage	Related to product discussion
Allopathic & Osteopathic Physicians Family Medicine	NY	17.8	8/7/2017	Food and Beverage	Related to product discussion
Allopathic & Osteopathic Physicians Family Medicine	NY	15.64	8/28/2017	Food and Beverage	Related to product discussion
Allopathic & Osteopathic Physicians Family Medicine	NY	15.4	4/6/2017	Food and Beverage	Related to product discussion
Allopathic & Osteopathic Physicians Family Medicine	NY	15.14	11/6/2017	Food and Beverage	Related to product discussion
Allopathic & Osteopathic Physicians Family Medicine	NY	15.05	11/2/2017	Food and Beverage	Informational Meal
Allopathic & Osteopathic Physicians Family Medicine	NY	14.18	1/23/2017	Food and Beverage	Informational Meal
Allopathic & Osteopathic Physicians Family Medicine	NY	13.88	7/20/2017	Food and Beverage	Informational Meal
Allopathic & Osteopathic Physicians Family Medicine	NY	11.95	4/14/2017	Food and Beverage	
Allopathic & Osteopathic Physicians Family Medicine	NY	11.91	6/12/2017	Food and Beverage	Related to product discussion
Allopathic & Osteopathic Physicians Family Medicine	NY	7.77	2/23/2017	Food and Beverage	Related to product training activity
Allopathic & Osteopathic Physicians Family Medicine	NY	6.16	12/22/2017	Food and Beverage	Related to product discussion
Allopathic & Osteopathic Physicians Family Medicine	NY	0.96	8/7/2017	Food and Beverage	Related to product discussion
Allopathic & Osteopathic Physicians Family Medicine	NY	0.34	6/12/2017	Food and Beverage	Related to product discussion



Which statement best describes your organization's policy on a physician's ordering and use of a product or drug that he or she has financial interest in?

It is strictly prohibited and physicians attest to following the policy and we use/audit available data to confirm accuracy

It is prohibited and physicians attest to following the policy

There is a general understanding it is prohibited but no policy or procedure to monitor compliance

Physicians are free to order or use products and devices they have a financial interest in

Nature of Payment: Royalty or License

Physician_La	Submitting_Applicable	unt_of_Paym	ate_of_Payr	Form_of_Paym	Nature_of_Paym	Product_Category_or_Thera	Name_of_Dru	Indicat	Produc	Name	Covere	Indicat	Produc	Name
WF	DePuy Synthes Sales Inc.	5388446.18	1/18/2017	Cash or cash equi	Royalty or License	Ortho-Knee	ATTUNE							
Enj	AstraZeneca Pharmaceut	1569575	5/17/2017	Cash or cash equi	Royalty or License	Cardiovascular and Metabolism	BYETTA							
Enj	AstraZeneca Pharmaceut	1518822	2/14/2017	Cash or cash equi	Royalty or License	Cardiovascular and Metabolism	BYETTA							
Enj	AstraZeneca Pharmaceut	1445452	8/17/2017	Cash or cash equi	Royalty or License	Cardiovascular and Metabolism	BYETTA							
Enj	AstraZeneca Pharmaceut	1231477	11/16/2017	Cash or cash equi	Royalty or License	Cardiovascular and Metabolism	BYETTA							
BEI	DePuy Synthes Sales Inc.	901629.88	2/22/2017	Cash or cash equi	Royalty or License	Ortho-Knee	ATTUNE	Device	Ortho-Hip	PINNACLE	Covered	Device	Ortho-Hip	SUMMIT
BEI	DePuy Synthes Sales Inc.	892713.4	9/7/2017	Cash or cash equi	Royalty or License	Ortho-Knee	ATTUNE	Device	Ortho-Hip	PINNACLE	Covered	Device	Ortho-Hip	SUMMIT
BEI	DePuy Synthes Sales Inc.	865059.71	7/13/2017	Cash or cash equi	Royalty or License	Ortho-Knee	ATTUNE	Device	Ortho-Hip	PINNACLE	Covered	Device	Ortho-Hip	SUMMIT
BEI	DePuy Synthes Sales Inc.	814797.77	11/22/2017	Cash or cash equi	Royalty or License	Ortho-Knee	ATTUNE	Device	Ortho-Hip	PINNACLE	Covered	Device	Ortho-Hip	SUMMIT
FEI	DePuy Synthes Sales Inc.	621873.47	2/22/2017	Cash or cash equi	Royalty or License	Ortho-Knee	ATTUNE	Device	Ortho-Hip	PINNACLE	Covered	Device	Ortho-Hip	RECLAIM
FEI	DePuy Synthes Sales Inc.	609105.07	9/6/2017	Cash or cash equi	Royalty or License	Ortho-Knee	ATTUNE	Device	Ortho-Hip	PINNACLE	Covered	Device	Ortho-Hip	RECLAIM
FEI	DePuy Synthes Sales Inc.	580162.5	7/13/2017	Cash or cash equi	Royalty or License	Ortho-Knee	ATTUNE	Device	Ortho-Hip	PINNACLE	Covered	Device	Ortho-Hip	RECLAIM
FEI	DePuy Synthes Sales Inc.	546555.02	11/22/2017	Cash or cash equi	Royalty or License	Ortho-Knee	ATTUNE	Device	Ortho-Hip	PINNACLE	Covered	Device	Ortho-Hip	RECLAIM
WE	DePuy Synthes Sales Inc.	479299.49	7/6/2017	Cash or cash equi	Royalty or License	Sports Surgical	HEALIX	Device	Sports Sur	RIGIDLOOP				
CA	DePuy Synthes Sales Inc.	476433.64	2/22/2017	Cash or cash equi	Royalty or License	Ortho-Knee	ATTUNE							
DE	DePuy Synthes Sales Inc.	475902.3	2/22/2017	Cash or cash equi	Royalty or License	Ortho-Knee	ATTUNE							
HE	DePuy Synthes Sales Inc.	472056.01	2/24/2017	Cash or cash equi	Royalty or License	Ortho-Hip	TRI-LOCK							
PEI	DePuy Synthes Sales Inc.	471313.08	2/24/2017	Cash or cash equi	Royalty or License	Ortho-Hip	TRI-LOCK							
WE	DePuy Synthes Sales Inc.	470609.47	8/30/2017	Cash or cash equi	Royalty or License	Sports Surgical	HEALIX	Device	Sports Sur	RIGIDLOOP				
WE	DePuy Synthes Sales Inc.	467455.79	3/8/2017	Cash or cash equi	Royalty or License	Sports Surgical	HEALIX	Device	Sports Sur	RIGIDLOOP				
CA	DePuy Synthes Sales Inc.	461010.2	8/30/2017	Cash or cash equi	Royalty or License	Ortho-Knee	ATTUNE							
DE	DePuy Synthes Sales Inc.	460567.06	8/30/2017	Cash or cash equi	Royalty or License	Ortho-Knee	ATTUNE							
FO	Braintree Laboratories, In	447389.5	8/16/2017	Cash or cash equi	Royalty or License	Gastroenterology	GOLYTELY	Drug	Gastroent	NULYTELY	Covered	Drug	Gastroent	SUPREP
CA	DePuy Synthes Sales Inc.	442927.38	7/6/2017	Cash or cash equi	Royalty or License	Ortho-Knee	ATTUNE							
DE	DePuy Synthes Sales Inc.	442404.58	7/6/2017	Cash or cash equi	Royalty or License	Ortho-Knee	ATTUNE							
CA	DePuy Synthes Sales Inc.	436222.2	8/15/2017	Cash or cash equi	Royalty or License	Ortho-Knee	SIGMA	Device	Ortho-Hip	PINNACLE	Covered	Device	Ortho-Hip	RECLAIM
CA	DePuy Synthes Sales Inc.	427160.95	7/6/2017	Cash or cash equi	Royalty or License	Ortho-Knee	SIGMA	Device	Ortho-Hip	PINNACLE	Covered	Device	Ortho-Hip	RECLAIM
CA	DePuy Synthes Sales Inc.	427053.31	2/15/2017	Cash or cash equi	Royalty or License	Ortho-Knee	SIGMA	Device	Ortho-Hip	PINNACLE	Covered	Device	Ortho-Hip	RECLAIM
WE	DePuy Synthes Sales Inc.	425355.39	11/21/2017	Cash or cash equi	Royalty or License	Sports Surgical	HEALIX	Device	Sports Sur	RIGIDLOOP				
CA	DePuy Synthes Sales Inc.	418044.65	11/6/2017	Cash or cash equi	Royalty or License	Ortho-Knee	SIGMA	Device	Ortho-Hip	PINNACLE	Covered	Device	Ortho-Hip	RECLAIM

Nature of Payment: Ownership

Physician_La	Amount_of_Paym	Date_of_Paym	Form_of_Payment_or_Transfer_of_Value	Nature_of_Payment_or_Transfer_of_Value	Product_Category
V	10000	3/7/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	160000	1/5/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	120000	1/19/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	4500	9/18/2017	Any other ownership interest	Current or prospective owner	Spinal Implants
V	40000	6/22/2017	In-kind items and services	Current or prospective owner	Spinal Implants
V	120000	6/5/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	20000	2/27/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	120000	7/25/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	4500	2/7/2017	Any other ownership interest	Current or prospective owner	Spinal Implants
V	4500	7/12/2017	Any other ownership interest	Current or prospective owner	Spinal Implants
V	4500	5/8/2017	Any other ownership interest	Current or prospective owner	Spinal Implants
V	4500	1/4/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	10000	5/10/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	40000	8/11/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	10000	3/8/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	80000	8/21/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	20000	2/6/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	80000	7/11/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	4500	3/8/2017	Any other ownership interest	Current or prospective owner	Spinal Implants
V	4500	4/11/2017	Any other ownership interest	Current or prospective owner	Spinal Implants
V	70000	3/13/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	4500	8/25/2017	Any other ownership interest	Current or prospective owner	Spinal Implants
V	80000	3/17/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	80000	5/22/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	10000	2/28/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	80000	4/24/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants
V	40000	7/17/2017	Dividend, profit or other return on investment	Current or prospective owner	Spinal Implants



Is conflict of time or commitment a part of your organization's COI compliance program?

Yes

No

Somewhat, but it's not a mature part of the program

Nature of Payment: Honoraria

Multiple, same day, possible threshold

Physician	Total_Amount	Date_of_Payr	Form_of_Payment	Nature_of
W	1750	6/30/2017	Cash or cash equivalent	Honoraria
W	1750	8/16/2017	Cash or cash equivalent	Honoraria
W	1750	8/16/2017	Cash or cash equivalent	Honoraria
W	1750	8/16/2017	Cash or cash equivalent	Honoraria
W	1750	8/16/2017	Cash or cash equivalent	Honoraria
W	1750	9/28/2017	Cash or cash equivalent	Honoraria
W	2500	9/28/2017	Cash or cash equivalent	Honoraria
W	2500	10/12/2017	Cash or cash equivalent	Honoraria
W	1750	10/25/2017	Cash or cash equivalent	Honoraria
W	2500	12/22/2017	Cash or cash equivalent	Honoraria
W	1750	3/17/2017	Cash or cash equivalent	Honoraria
W	1750	3/17/2017	Cash or cash equivalent	Honoraria
W	1750	5/19/2017	Cash or cash equivalent	Honoraria

Nature of Payment: Consulting



Frequency, possible conflict of commitment, retainer?

Physician	Total_Amount	Date_of_Payment	Form_of_Payment	Nature_of_Payment	Contextual_Information
H	5000	1/2/2017	Cash or cash equivalent	Consulting Fee	Consulting for OCULUS Pentacam 2017
H	5000	2/1/2017	Cash or cash equivalent	Consulting Fee	Consulting for OCULUS Pentacam 2017
H	5000	3/1/2017	Cash or cash equivalent	Consulting Fee	Consulting for OCULUS Pentacam 2017
H	5000	4/1/2017	Cash or cash equivalent	Consulting Fee	Consulting for OCULUS Pentacam 2017
H	5000	5/1/2017	Cash or cash equivalent	Consulting Fee	Consulting for OCULUS Pentacam 2017
H	5000	6/1/2017	Cash or cash equivalent	Consulting Fee	Consulting for OCULUS Pentacam 2017
H	5000	7/1/2017	Cash or cash equivalent	Consulting Fee	Consulting for OCULUS Pentacam 2017
H	5000	8/1/2017	Cash or cash equivalent	Consulting Fee	Consulting for OCULUS Pentacam 2017
H	5000	9/1/2017	Cash or cash equivalent	Consulting Fee	Consulting for OCULUS Pentacam 2017
H	5000	10/1/2017	Cash or cash equivalent	Consulting Fee	Consulting for OCULUS Pentacam 2017
H	5000	8/1/2017	Cash or cash equivalent	Consulting Fee	Cons082017
H	5000	9/1/2017	Cash or cash equivalent	Consulting Fee	Cons092017
H	5000	10/1/2017	Cash or cash equivalent	Consulting Fee	Cons102017
H	5000	11/1/2017	Cash or cash equivalent	Consulting Fee	Cons112017
H	4000	12/1/2017	Cash or cash equivalent	Consulting Fee	Cons122017



3

What Might the
Future Hold?



In regards to sunshine, spend transparency, and additional provider types that will be reported on, how familiar are you with section 6111 of the SUPPORT ACT?

Never heard of it

Aware it might affect reporting,
but don't know the details

Very familiar with the details

Sick of hearing about it

SUPPORT ACT



- Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act
- Signed by President Trump on Oct. 24, 2018
- Section 6111 (Fighting the Opioid Epidemic with Sunshine)
- Effective Jan. 1, 2022 (but tracking will need to begin Jan. 1, 2021)
- Adds tracking for additional provider types (Physician assistants, Nurse practitioners, Clinical nurse specialists, Certified registered nurse anesthetists, and Certified nurse-midwives.)
- Allows CMS to post National Provider Identifier numbers (NPIs) on the public database, something that was previously barred by the Sunshine Act.

OIG Report



Department of Health and Human Services

OFFICE OF
INSPECTOR GENERAL

**OPEN PAYMENTS DATA:
REVIEW OF ACCURACY,
PRECISION, AND
CONSISTENCY IN REPORTING**



Suzanne Murrin
Deputy Inspector General

August 2018
OEI-03-15-00220

- 11.9 million records (2015), less than 1% were missing required data elements.
- OIG did identify records that contained inaccurate, imprecise, or inconsistent information (records containing drug and device names that do not match the definitions of these data elements; NDCs that were not found in FDA databases or other drug information resources; and payment dates from a different reporting year.
- CMS also reported that it is still compiling a list of noncompliant manufacturers and group purchasing organizations for further investigation.

OIG Report



OIG Recommended to CMS:

- ensure that records contain all required data;
- strengthen validation rules and revise data-element definitions so that actual drug and device names must be reported
- revise the definition of the device-name data element so that the information reported is required to be more specific
- ensure that manufacturers and group purchasing organizations report valid NDCs for drugs.

CMS concurred with all four of OIG's recommendations.

Questions?

cj.wolf@healthicity.com