



CME Coalition Applauds Final Sunshine Act Rule

In response to stakeholder comments, CMS has limited the reporting requirements for accredited continuing medical education (CME) in its Final Rule on the Physician Payment Sunshine Act, which was promulgated today. This decision recognizes the adequacy of current protections against inappropriate bias in CME, and acknowledges CME's special role in educating physicians and improving patient outcomes. Further, by limiting CME support payments from the reporting rules required of direct physician payments, CMS has made it clear that pharmaceutical companies, medical device manufacturers, and other commercial supporters should not be discouraged from underwriting accredited CME activities.

FOR IMMEDIATE RELEASE

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February 1, 2013 – Today, the CME Coalition applauded the Centers for Medicare and Medicaid (CMS) for limiting the reporting requirements for CME in its final rule on the Physician Payment Sunshine Act. In reaching today's decision to exclude accredited CME activities that meet the definition of "indirect payments" from the purview of this law, CMS has acknowledged the views of over 350 comments from patients, physicians, and other healthcare stakeholders. These stakeholders argued that it was inappropriate and would prove highly damaging to treat *indirect* CME payments in the same manner as *direct* industry payments to physicians under the Act.

Although it took many stakeholders by surprise, a Proposed Rule published by CMS in December 2011 incorporated indirect commercial support payments for CME into the Act's scheme for direct physician payments. In today's Final Rule, however, CMS makes it clear that accredited CME is already held to high regulatory standards that prevent commercial supporters from influencing the curriculum, and that further regulation under the Sunshine Act is unnecessary.

Today, CME enjoys an esteemed reputation for integrity due to its comprehensive oversight from a variety of entities, including ACCME, FDA, PhRMA, AdvaMed, and others. By ensuring that CME support payments need not be reported under the Sunshine Act, CMS is sending a strong

message to commercial supporters: Underwriting accredited continuing education programs for healthcare providers is to be applauded, not restricted.

Andrew Rosenberg, Senior Advisor to the CME Coalition stated, “We believe that today’s action by CMS upholds the original intent of Congress in passing the Sunshine Act to require reporting of direct payments to physicians, but not to include grants in support of accredited CME.”

Rosenberg continued, “Today’s decision recognizes the importance of keeping medical professionals informed about the latest treatments available for their patients through CME, and makes clear that pharmaceutical companies, medical device manufacturers, and other stakeholders should be encouraged to support CME.”

The CME Coalition represents a collection of continuing medical education provider companies, in addition to other supporters of CME and the vital role it plays in the US health care system. Its member organizations provide, manage and support the development of healthcare continuing education programs that impact more than 500,000 physicians, nurses and pharmacists annually.

Graduation from medical school and completion of residency training are the first steps in a career-long educational process for physicians. To take advantage of the growing array of diagnostic and treatment options, physicians must continually update their technical knowledge and practice skills. CME is a mainstay for such learning.

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