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CMS to Extend Timetable for Implementation of the Physician Payments Sunshine Act

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On December 15, 2011, the U.S. Centers for Medicare & Medicaid Services (CMS) published a proposed rule to implement the Physician Payments Sunshine Act, which was included as part of the Patient Protection and Affordable Care Act of 2010. The Physician Payments Sunshine Act imposes new reporting and transparency requirements with respect to financial relationships between physicians, institutional providers, biomedical manufacturers and group purchasing organizations. In the proposed rule, CMS indicated that it hoped to issue a final rule in time for regulated parties to begin to record required information in 2012.

Citing its commitment "to addressing the valuable input received during the comment period, and to ensuring the accuracy of the data collected," and in light of the practicalities of providing regulated parties with sufficient opportunity to prepare, CMS announced on May 3, 2012, that it will not require data collection by applicable manufacturers and applicable group purchasing organizations before January 1, 2013.

CMS stated that it has received more than 300 comments from a diverse group of stakeholders, but still intends to issue the final rule in 2012.

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