

RE: Open Payments Reporting Requirements Related to CME

I am writing to express my deep concern for a recently proposed CMS policy that I fear will eliminate the Sunshine Act reporting exemption for accredited continuing medical education (CME).

As President of the Alabama Cancer Congress, I care deeply about the ability of providers to participate in continuing medical education programs. ACC is a comprehensive representative body of cancer care providers in the state of Alabama promoting education, advocacy and sense of unity. One of our primary objectives is to provide a source of continuing medical education that serves to maintain or increase the knowledge and professional performance of our medical oncology members. We aspire to keep our associates up to date with the latest in advocacy, business strategy, psychosocial mediation and cancer therapies in their field. The Alabama Cancer Congress was borne from a merger of the following societies:

ASCO Alabama Society of Clinical Oncology  
ASRO Alabama Society of Radiation Oncology  
OPN Oncology Providers Network  
ARTS Alabama Radiation Therapists Society  
ONS Oncology Nursing Society  
GYN Oncology  
Neuro Oncology  
UAB Hematology/Oncology Fellowship Program

Accredited CME is the gold standard of continuing medical education. Our CME providers and their accrediting organizations have strong standards in place that prevent manufacturers from shaping the content of their CME programs or influencing the selection of the physicians who speak at the sessions. Those standards are the reason why the CMS rule implementing the Sunshine Act exempted manufacturers' payments for accredited CME to physicians from public disclosure.

The Alabama Cancer Congress strongly urges CMS to appreciate the need to promote physician participation in CME rather than creating a false stigma that could discourage physicians from pursuing new medical updates via didactic events hosted by their state oncology association.

I am concerned that your recent proposal of July 3rd will eliminate the current CME "safe harbor" from reporting by redefining CME payments as "indirect payments" which may be reportable. Why should manufacturers publicly report CME speaker fees, CME tuition and educational materials when they have absolutely no control over the speakers identity or subject matter?

The Alabama Cancer Congress encourages you to ensure that indirect commercial support for CME programs, where the accredited provider exercises complete judiciousness on the content, remains exempted from reporting under the Open Payments system. It is vital to America's cancer patients that their healthcare providers remain well educated and apprised of the latest cancer therapies in their field. It is imperative that we encourage, rather than discourage, participation in CME.

This is what I understand was intended by Congress and exists in the Final Rule as it currently stands, and I would encourage you to create a similarly clear "safe harbor" for doctors and CME at the conclusion of this process.