

August 14, 2012

Marilyn Tavenner
Acting CMS Administrator
Centers for Medicare and Medicaid Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Acting Administrator Tavenner:

As life science trade associations representing thousands of companies that are committed to transparency in the reporting of payments to physicians and teaching hospitals, we write to encourage the Centers for Medicare & Medicaid Services (CMS) to promptly publish the final rule implementing the Physician Payments Sunshine Act, section 6002 of the Affordable Care Act of 2010, following complete and thoughtful consideration of comments submitted by stakeholders on the proposed rule.

The Physician Payments Sunshine Act will provide transparency in requiring reporting of payments to teaching hospitals, physicians, and physician ownership and investment interests. In response to the proposed rule, CMS received over 300 comments from a wide range of stakeholders. In May 2012, CMS reiterated its commitment to addressing the valuable input received during the comment period, and to ensuring the accuracy of the data collected. CMS also announced that it will not require data collection before January 1, 2013. We appreciate the efforts and attention to reporting details that your agency has thus far exhibited in working to implement the Sunshine Act.

As we approach 2013, we ask that when CMS completes its thorough review of all stakeholder comments and releases a final regulation, that CMS grant our companies sufficient preparation time to implement the final rule. In our respective associations' comment letters on the proposed rule, we asked that CMS provide applicable manufacturers 180 days after publication of the final rule before requiring data collection. To properly implement the data collection and reporting required by the Sunshine provisions, our companies will need this time for system development, implementation, testing, and training.

Congress has done its work by passing this law, and we are committed to its successful implementation. A key element of success is sufficient time to properly implement all elements of the law. We stand ready to implement the final rule upon its publication. We think it's important for your agency to act in a timely manner and to permit sufficient time for the companies we represent to effectively meet their data collection obligations.

Sincerely,

Advanced Medical Technology Association (AdvaMed)
Biotechnology Industry Organization (BIO)
Medical Imaging & Technology Alliance (MITA)
Pharmaceutical Research and Manufacturers of America (PhRMA)