

Sunshine Act

The Physician Payments Sunshine Act is a section of the Patient Protection and Affordable Care Act of 2010 that requires medical device and pharmaceutical companies to report payments and items of value given to physicians and teaching hospitals.

As part of this program, Zimmer Biomet Dental is required to submit annual data on payments and other transfers of value greater than \$10 that they make to Covered Recipients, which includes Doctors of Dental Surgery and Doctors of Dental Medicine (DDS, DMD).

Transparency of our financial relationships will help Zimmer Biomet Dental and you maintain credibility in the eyes of your patients. It's our responsibility to them and to you to uphold high standards in our business practices.

What is reported under the Sunshine Act?

Payments and transfers of value including the following:*

- Consulting fees
- Speakers Honoraria
- Charitable Contributions
- Royalty or License Payments
- Textbooks, journal reprints
- Grants
- Travel/Lodging/Meals
- Educational items that do not directly benefit patients
- Research (Clinical Studies)
- Compensation for other services
- Complimentary Continuing Education Credits
- Reimbursement for any of the above.

**This includes international engagements.*

What is excluded from reporting?

Product Samples or Evaluation Products (must be reasonable quantities)*

- Patient education materials
- Loans of medical devices for evaluation (must be 90 days or less)
- Discounts/rebates
- Food and drink at conference booths or at large scale events that are impractical to track

** Samples/Evaluation Products require a written confirmation of the customer that he or she will not charge the patient for the product.*

What level of detail will the Sunshine Act report have?

The following information must be reported for each payment or other transfer of value:

- Name
- Business address

- Physician specialty
- National provider identifier
- State license number
- Value of the payment or transfer of value
- Name of the related device
- A description of the form of payment (e.g., cash, in-kind items or services, stock)
- Date of payment or transfer of value
- Nature of payment or transfer of value (e.g., consulting, food, travel, education)
- Clinical Research: Principle Investigator

What about nurses and office staff?

Under the Sunshine Act, meals provided to nurses and office staff will not be reportable and will not be attributed to physicians. However, some state marketing disclosure laws require disclosure of payments to a broader group of recipients, including non-physician prescribers, nurses and office staff. Often times, this spend is attributed to the physician or other prescriber in the office. For states with these types of disclosure requirements, these payments will not be preempted by the federal law, and thus are still reportable to the state. In addition, the AdvaMed Code of Ethics on Interactions with Healthcare Professionals and some state laws prevent or limit meals to healthcare professionals under certain circumstances.

Where and when will the reported information under the Sunshine Act be available?

The Centers for Medicare and Medicaid Services (CMS) annually publishes the information reported by manufacturers on its [Open Payments website](#) on June 30th of each year.