Shedding Light on Physician Disclosures: Evaluating the Impact of the Sunshine Act

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Background

1. Commercial COIs within medical practice and education are widespread and often hidden from public view
2. Financial ties can exert undue influence on physicians' judgments, research, and practice, thus jeopardizing patient care and objectivity
3. Medical education should be free of industry influence and experts on panels who establish clinical guideline practices should be prohibited from having **undisclosed** commercial COIs

- The Sunshine Act was passed in 2010 as a part of the affordable care act to increase transparency of financial relationships between physicians and industry partners.
- Pharmaceutical companies and medical device manufactures are required to report all gifts and payments they give to physicians and hospitals that exceed $10.
- For *physician* reporting of these relationships, there remains highly variable and inconsistent policies for disclosure across institutions or societies.
- **The objective of this study is to assess the concordance of ENT physicians' self-reported COI disclosures compared to payments reported in the Open Payments database**

Bibliography

Study Design

- Self-reported disclosure data were provided from a national, ENT society's annual conference.
- We then filtered conference participants to include only individuals who completed a residency training in ENT, and who were current practicing physicians in the US. Of the conference participants, 126 individuals met these inclusion criteria
- Individuals were searched on the "Open Payments" database, and listed financial relationships were then compared **to their submitted self-reported** disclosure statements
- **Participants where then broken down into three categories:**

Compliant
All self disclosed COIs matched Open Payments Database

Partially Compliant
Some, but not all self disclosed COIs matched Open Payments Database

Non-Compliant
No self disclosed COIs despite recorded payments in Open Payments Database

Results

Male Compliant rate 14.1% (11, n=78)

Female Compliant rate 27.7% (13, n=47)

Results

Out of the 125 physicians included 19% were concordant (compliant) with self-reported COI's (24, n=125)

27% partially compliant (34, n=125)

54% non-compliant (67, n=125)

Average dollar amount that physicians received from industry was $9,850, with a reported range of $20 to $213K

Discussion

- 81% of included ENT physicians at a national annual meeting were either underreporting or not reporting relevant industry financial relationships found on Open Payments
- When compared to other medical specialties, otolaryngologists have a similar rate of self-reporting.
- There are many possible reasons why physicians fail to disclose financial conflicts of interest
- Female ENT physicians were almost twice as likely to accurately disclose COI's in comparison to their male counterparts (27.7% vs. 14.1%)
- **There are no penalties for physicians who fail to report COIs**
- Physicians should review their Open Payments records prior to submitting disclosures to maintain concordance and err on the side of over-reporting financial relationships with industry.