

Elsevier Reprints and The Sunshine Act

On August 1, 2013, the Affordable Care Act's Physician Payments Sunshine Act (Sunshine Act) became effective. Aimed to create transparency in the pharmaceutical sales industry and ensure that health care providers are not unethically influenced into supporting a product or drug, the Act requires a new level of monitoring, tracking, and reporting on the part of pharmaceutical companies. Elsevier understands the time and cost of this new responsibility to our Clients, and has created new procedures to help with the process.

// what

What is the Sunshine Act?

The Sunshine Act basically requires pharmaceutical companies to track and report to the National Physician Payment Transparency Program at the Centers for Medicare & Medicaid Services (CMS) all payments, monetary or otherwise, they make to health care providers. This includes cash, dinners, trips, stock, and more. There are exceptions, including gifts estimated at less than \$10 in value, product samples, and any educational materials designed to be distributed to patients.

Click to access [CMS Fact Sheet on the Sunshine Act](#).

// how

How does the Act affect my business with Elsevier?

Pharmaceutical companies often order and distribute reprints of our medical journals and other publications, either in hard copy or as a digital ePrint, to health care professionals they are working with. These reprints are used as a helpful educational tool that may also feature the company's branding and/or details on their product offerings. Under the Sunshine Act, these reprints must be reported to CMS if they have a value of \$10 or greater per reprint and/or if the aggregate spending on reprints per physician exceeds \$100 annually.

Click to access CMS's statements regarding the [need to report on reprint distribution](#), and the [proper payment category for reprints](#).

How do I know the value of the reprints I'm ordering?

The value of a journal reprint can be determined by simply dividing the cost of ordering the reprints from Elsevier by the number of reprints being ordered.

For example:

If 1,000 reprints are ordered and the total cost is \$8,000 = \$8 per reprint (\$8,000 / 1,000 reprints).

During reporting to CMS, companies may submit a document clarifying any assumptions made to determine the value of journal reprints.

Click to access CMS's advice on [calculating the value of a journal reprint](#).

// eprint physician capture

What is Elsevier doing to make this new process easier?

Elsevier's **new ePrint physician capture feature** allows companies ordering ePrints for health care professionals to receive a real-time report of the doctors they have given reprints to, how many reprints the doctor has accessed, and the total value of those reprints, making reporting a smoother process.

When a physician clicks on a notification that an ePrint is available for them to download, a sign-in screen will appear. The form will capture the physician's name, state of license, state license number, and specialty. Reports on ePrint access will be available to our clients as requested.

As the Sunshine Act enters its first weeks and companies begin to monitor and report these payments, CMS will be releasing further clarifications to assist with the learning process. We will share these updates with you as we receive them, particularly if they have impact on the reporting requirements for reprints and other educational materials.

For more information

Click on link for additional [Sunshine Act FAQ's](#), published by CMS.

[Sunshine Act FAQs](#)