



# *Open Payments*

*Applicable Manufacturers & Applicable GPOs:  
Review, Dispute, and Correction*

O P E N P A Y M E N T S

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C R E A T I N G P U B L I C T R A N S P A R E N C Y  
I N T O I N D U S T R Y - P H Y S I C I A N  
F I N A N C I A L R E L A T I O N S H I P S

**January 2025**

*CMS Disclaimer: This information is a summary of the Final Rule implementing Open Payments (Medicare, Medicaid, Children's Health Insurance Programs; Transparency Reports and Reporting of Physician Ownership or Investment Interests [CMS-5060-F], codified at 42 CFR Parts 402 and 403). The summary is not intended to take the place of the Final Rule which is the official source for information on the program.*

# Agenda

- Target Audience and Learning Objectives
- Open Payments Program and Timeline
- Review, Dispute, and Correction Process Overview
- Reviewing and Acknowledging Disputes
- Resolving Disputes, and Correcting and Deleting Records
- Next Steps and Available Resources

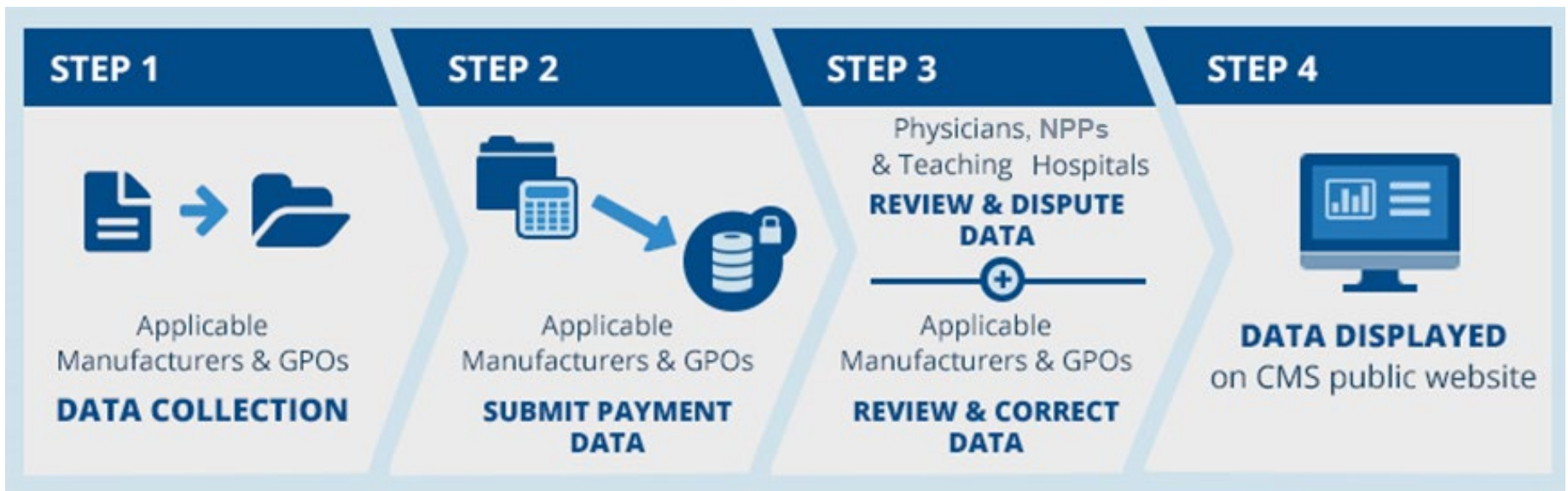
# Target Audience and Learning Objectives

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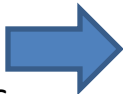
- Target Audience:
  - Applicable manufacturers and applicable group purchasing organizations (AM/GPOs), hereafter collectively referred to as “reporting entities,” who need to respond to disputes initiated by physicians, non-physician practitioners (NPPs) and teaching hospitals, collectively referred to as covered recipients.
- Learning Objective:
  - Understand the Open Payments review and dispute process.

# Open Payments Program and Timeline

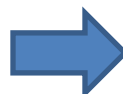
# Open Payments Process Flow



Reporting entities collect payment data for a program year, which runs from January 1 to December 31



Reporting entities submit their data for the program year to the Open Payments system



Covered Recipients review and, if necessary, dispute submitted data. Reporting entities resolve disputes



Data is published for public viewing in accordance with the publication guidelines

# Program Year 2024 Timeline



Note: Review and Dispute activities start on April 1st and can continue until end of the calendar year. The end dates provided on this slide are the cutoff for disputes and corrections to appear in the June data publication.

**\*Anticipated date**

# Review, Dispute, and Correction Process Overview



# Review, Dispute, and Correction Overview

- Covered recipients can review, affirm, and if necessary, dispute records attributed to them.
- The pre-publication review and dispute period for covered recipients begins April 1<sup>st</sup> and ends May 15<sup>th</sup> each year.
- This allows covered recipients to review records attributed to them and, if applicable, dispute records they believe to be incorrect prior to the annual June publication.
- **Covered recipients have until the end of the calendar year to initiate disputes on data available for their review (including data attested by March 31 and late submissions from the prior year); disputes initiated after the pre-publication review and dispute period will be included in a future publication.**

# Review, Dispute, and Correction Overview (cont.)

- Reporting entities may resolve disputes throughout the pre-publication review and dispute process.
- There is an additional 15-day correction period for reporting entities through May 30, 2025; corrections made by reporting entities during this period will be included in the June 2025 publication.
- During the review, dispute, and correction period, the reporting entities acknowledge and work to resolve disputes.
- **CMS does not mediate or facilitate disputes;** reporting entities should work directly with the covered recipient to reach a resolution for the dispute.
- Once a resolution is reached, the results must be captured in the Open Payments system (instructions in the following slides).

# Review, Dispute, and Correction Overview (cont.)

Permitted Actions by Reporting Entities	Permitted Actions by Covered Recipients
<ul style="list-style-type: none"><li>• Acknowledge disputes</li><li>• Resolve disputes with changes to records</li><li>• Resolve disputes by deleting records</li><li>• Resolve disputes with no changes to records</li></ul>	<ul style="list-style-type: none"><li>• Review and affirm records</li><li>• Initiate disputes</li><li>• Withdraw disputes</li></ul>

- It is not required that covered recipients review, affirm, or dispute any records.
- Records not affirmed by the covered recipients are eligible for publication and will be published using the latest attested-to data submitted by the reporting entity.
- Only users who hold the role of submitter can perform review and dispute, and correction actions for a reporting entity.
- Changes to records are not complete until the record is re-attested by a user who holds the role of attester.

# Review, Dispute, and Correction Overview (cont.)

- The pre-publication review, dispute, and correction period consists of:
  - 45 days for data review, dispute, and correction
  - 15 days immediately following the 45-day period for reporting entities to continue to make corrections on any outstanding disputes
- Records edited or deleted as a result of a dispute during the full 60-day period will be reflected in the June 2025 publication; records edited after May 30, 2025, will be eligible for the next data publication.
- The “Modified-Without-Dispute” cut off date, November 15<sup>th</sup>, is the end date for undisputed record edits to be included in the annual data refresh.
  - Undisputed records edited after the Modified-Without-Dispute cutoff date will not be included in the January refresh but will be eligible for publication in the next data publication in June.

# Dispute Timing and Public Display

- Records with a dispute initiated during the pre-publication 45-day review and dispute period and resolved by the end of the 15-day correction period will be identified as undisputed in the initial data publication and if applicable, will reflect any changes made to the data that resolved the dispute.
- If the dispute is not resolved by the end of the correction period, the record will be published and identified as disputed.
- Records with a new dispute initiated after the pre-publication 45-day review and dispute period will be published as originally attested to in the initial data publication.
- Disputes initiated or resolved after the full 60-day review, dispute, and correction period will not be reflected as disputed in the June publication of data and are published as the originally attested to data. Those disputes and any related data changes will be published in the next publication of data, which may be a refresh publication of the program year data or the publication of the next program year's data.
- Additional details regarding disputes initiated after the pre-publication review and dispute period are available in the quick reference guide “Review and Dispute Timing and Data Publication” (see Resources page of the Open Payments website <https://www.cms.gov/OpenPayments/About/Resources.html>).

# Review and Dispute Statuses

- Records in the review and dispute process will have one of the following review and dispute statuses in the Open Payments system:
  - Initiated - The dispute has been initiated by a covered recipient.
  - Acknowledged - The dispute has been acknowledged by the reporting entity.
  - Resolved - The dispute has been resolved by the reporting entity with updates made to the record.
  - Resolved No Change - The reporting entity and covered recipient have resolved the dispute in accordance with the Final Rule and no changes were made to the disputed record.
  - Withdrawn - The dispute has been withdrawn by the covered recipient and no further action is required.

# Reviewing and Acknowledging Disputes

# Reviewing & Acknowledging Disputes

- Submitters associated with a reporting entity receive an email notification when a dispute is initiated against a record submitted by the entity; submitters associated with the entity may then acknowledge and review the dispute.
- The purpose of acknowledging the dispute is to notify the covered recipient that the dispute has been received by the reporting entity.
- Acknowledging a dispute is optional.
- Acknowledging a dispute does not indicate that agreement or acceptance of the dispute by the reporting entity.
- After the dispute has been acknowledged and/or reviewed in the Open Payments system, actions can be taken towards resolving the dispute.
- The covered recipient receives an email notification if the dispute has been acknowledged in the Open Payments system.



# Reviewing & Acknowledging Disputes (cont.)

- Reporting entities can download a report of disputes initiated against their records available from the entity review and dispute page by selecting the “Download Disputes Zip File” link.
- Quick reference guide “Acknowledging Disputes and Resolving Disputes with No Changes to Data” provides additional guidance (see Resources page of the Open Payments website <https://www.cms.gov/OpenPayments/About/Resources.html>).

# Resolving Disputes, and Correcting and Deleting Records

# Resolving Disputes

- **CMS does not mediate disputes.**
- Reporting entities and covered recipients should work outside of the Open Payments system to resolve disputes.
- Covered recipients may initiate another dispute on the same record if they believe the disputed record has not been sufficiently resolved.
- When the dispute status is updated in the Open Payments system, the covered recipient will receive an email notification.
- Only users who hold the role of a submitter can perform review, dispute, and correction actions for a reporting entity
- Reporting entities can resolve disputes in one of two ways, with changes or with no changes made to the disputed record.

# Resolving Disputes: *Resolved with Changes*

## Resolved with changes made to the disputed record:

- After the updated record is re-submitted to the Open Payments system and the reporting entity attests to its accuracy, the updated record will automatically be placed in a Review and Dispute status of “Resolved”.
- A record can also be deleted to resolve a dispute. Once the deletion of the record is attested, the record is deleted from the Open Payments system. The covered recipient will receive an email notifying them that the disputed record has been deleted.
- Records that are in the process of being updated (but are not yet attested), or have been deleted, will be viewable as read-only records to the covered recipient to provide insight into the status of their transactions. Covered Recipients cannot take any dispute actions on records that are being updated or have been deleted.
- The version of the record that was previously attested to will be shown to the covered recipient while the record is being updated.

# Resolving Disputes: Resolved, no changes

## Resolved with no changes made to the disputed record:

- This can be done when the reporting entity and the covered recipient have resolved the dispute in accordance with the Final Rule and no changes were needed or made to the disputed record. Following this process will place the disputed records in a Review and Dispute status of “Resolved No Change”.

# Correcting Disputed Records

- Once a resolution has been reached by the reporting entity and the covered recipient, the reporting entity can move forward with making any needed data corrections.
- Disputed records can be corrected via two methods:
  1. Bulk data file resubmission
  2. Manual data entry (via Graphic User Interface)
- Corrected records must be re-submitted and re-attested to by the reporting entity's submitter and attester.
- The covered recipient will receive an email notifying them that a disputed record is being edited.

# Correcting Disputed Records (cont.)

- If a change to the covered recipient identifying information (such as name, NPI, license, etc.) is required to resolve a dispute, the reporting entity must:
  - Delete the original attested-to record
  - Submit a new record with the corrected covered recipient details
  - **Do not submit the previously attested record as a resubmission with new covered recipient identifying information; the original must be deleted and the changed record treated as new.**
- Refer to Section 5.3b of the Open Payments User Guide for Reporting Entities for instructions on how to re-submit and re-attest.

# Deleting Disputed Records

- Records may be deleted as a result of the dispute resolution process.
- When a user selects a record that had been previously attested to and then selects “Delete Record”, the record is not immediately deleted; the record is “Marked for Deletion”.
  - To complete the deletion of a record “Marked for Deletion”, the reporting entity’s attester must re-attest to the records for that program year; until re-attestation, the record will be eligible for publication.
  - Once re-attestation is complete, the covered recipient will receive an email notifying them that a disputed record has been deleted; the deleted record will be available for viewing purposes to the covered recipient, but they will not be able to take any actions on it.
- Refer to Section 5.3 of the Open Payments User Guide for Reporting Entities for additional guidance.



# Next Steps and Available Resources

# Next Steps

- Review any records that have been disputed by a covered recipient.
- Acknowledge and resolve disputes with covered recipients.
- Correct and delete records as needed.
- Re-attest to corrected and/or deleted records.
- Contact the Open Payments Help Desk for assistance if needed.

# Available Resources

- Review available resources on the CMS Open Payments website Resources page at <https://www.cms.gov/priorities/key-initiatives/open-payments/resources/reporting-entities> :
  - Open Payments User Guide for Reporting Entities
  - Tutorials
- Register for CMS email notifications via the Open Payments website to receive email updates about Open Payments.
- For additional questions, contact the Open Payments Help Desk at:
  - [openpayments@cms.hhs.gov](mailto:openpayments@cms.hhs.gov)
  - 1-855-326-8366 or for TTY line call 1-844-649-2766

# Disclosure

- Disclaimer: The contents of this document do not have the force and effect of law and are not meant to bind the public in any way, unless specifically incorporated into a contract. This document is intended only to provide clarity to the public regarding existing requirements under the law.
- Activities/persons addressed by this document: Guidance to provide a detailed overview of the review and dispute process for applicable manufacturers and group purchasing organizations.
- Date of document issuance: January 2025
- Replacement / Revision Status: Revision to previous version
- Agency Identifier: OBRHI CFRG 4183
- Summary of Document: A detailed overview of the review and dispute process for applicable manufacturers and group purchasing organizations.
- Citation to statutory provision / regulation applicable to this document:
  - Statute citation: Social Security Act SEC. 1128G. [42 U.S.C. 1320a-7h]
  - Rule citation: 42 C.F.R. §403.900-14