



Texas Alliance for
Continuing Medical Education

Response to CMS Proposed Rules to the Physician Payments Sunshine Act
(PPSA)

The Texas Alliance for Continuing Medical Education, Inc. (TACME) is a non-profit Texas corporation created to promote quality continuing medical education (CME) in the state of Texas. TACME membership is comprised of CME professionals representing hospitals and health systems, medical education and communication companies, medical schools, and physician professional organizations.

TACME has concerns to the proposed rules that would result in:

- Continued confusion between accredited and non-accredited education,
- An additional administrative burden on CME providers and staff,
- Loss of commercial support for CME activities,
- A risk to the reputations of CME faculty and participants, and
- Impact to patient outcomes.

As written, the proposed rule does not differentiate between accredited (certified for CME credit) and non-accredited (promotional) education. It does not recognize the ACCME's Standards for Commercial SupportSM and the safeguards, firewalls, and transparency protections already required for accredited education.

TACME believes that CME providers will bear the unintended burden of the rule's reporting requirements. Each manufacturer will have different interpretations and reporting requirements to which CME providers must adhere. The overall impact of the administrative requirement will be significant on an industry that is typically understaffed.

We are also concerned that commercial support of CME activities will decrease. It is important that commercial support in the form of educational grants is not impacted in order to maintain and provide quality continuing education.

Reporting of payments or transfer of value without the distinction between accredited and non-accredited education could result in a perception of impropriety. This risks the reputations of those who participate in CME activities, whether as faculty or learner.

The ever-evolving field of medicine requires physicians to maintain their ongoing education. The proposed rules will restrict this process, be in conflict with the Affordable Care Act's intention to provide quality healthcare, and could instead adversely affect patient outcomes in the long run.

TACME recommends that the final rule include **exclusions for certified CME activities, including supporting educational materials.**