

## BIPI Medical Education Grants “Sunshine” Reporting Requirements

The following information is intended to assist applicants in understanding the conditions and requirements surrounding applicants’ reporting of certain transfers of value occurring in relation to a BIPI-supported independent medical education program.

### Important factors to consider:

To minimize the reporting burden for both BIPI and grant recipients, BIPI provides the following suggestions below:

- a. **Food and Beverage:**
  - i. Consider alternative sources of funding to support all attendee food and beverage costs OR utilize participant registration fees to fully support attendee food/beverage and provide this level of detail in the grant application. NOTE: Grant applicants must specifically state, in the grant application, to what extent any registration fees of attendees will be used to offset food and beverage costs.
  - ii. Applicants should only report to BIPI the *pro-rated* amounts of any food/beverage costs that are not off-set by registration fees or other sources of income.
  - iii. Buffet meals are non-reportable only in *situations* where more than 50 participants are in attendance, the meals or snacks is available to all conference attendees and where it would be difficult to establish the identity of the individuals, who partook in the meal or snack.
- b. **Covered Recipients:** When required by BIPI, reporting should include only those speakers (including peer reviewers when known) or attendees who are MDs, DOs, optometrists, dentists, chiropractors, podiatrists, fellows licensed or Advanced Practice Nurses licensed in the state of Connecticut in the U.S. It is not necessary to report transfers of value with respect to Residents, other practitioners or individuals involved in or attending the program.
- c. **Disclosure:** The reporting requirements must be disclosed to Speakers in advance and detailed language describing the reporting requirements must be inserted into the agreement between the applicant and the Speaker. The reporting requirements must also be provided to all attendees prior to or at registration.
- d. **Reporting to BIPI:** Payments or transfers of value made to Covered Recipients must be submitted to BIPI. Applicants can enter this information into the online system and submit directly to our office. We expect to receive this Information no later than 30 days from the date of payment or transfer of value.
- e. **NOTE:** In the event that an approved medical education grant meets with one of the reporting scenarios identified in the tables below, BIPI will provide the above form, along with FAQs, to each applicant for capturing indirect payments for these programs. The grant recipient’s obligations for completing this reporting will be specified in all future medical education grant Letters of Agreement (LOA).

## Attendees

### Food or Beverage Reporting Scenarios:

Scenario	Reporting Requirement for Covered Recipients*
No food or beverage provided at the activity.	No Reporting
Plated or Buffet Meal FULLY covered by registration fees	No Reporting - unless registration partially covers meal costs in which case a pro-rated percentage of the meal cost should be applied to either scenario below where reporting is required.
Buffet Meal for $\geq$ 50 attendees AND where it is difficult to ascertain (identify) who took part in the meal and NOT fully covered by registration fees	No Reporting
Buffet Meal for $\leq$ 50 attendees OR where it is possible to ascertain (identify) who took part in the meal and NOT fully covered by registration fees	Applicant reports pro-rated percentage equal to BIPI's percentage contribution toward Total Program Budget for each covered recipient identified as having taken part in the meal.
Plated meal not covered by registration fees	Applicant reports pro-rated percentage equal to BIPI's percentage contribution toward Total Program Budget for each covered recipient identified as having taken part in the meal.

\*Covered Recipients as defined by CMS include those MDs, DOs, optometrists, dentists, chiropractors, podiatrists, fellows and Advanced Practice Nurses Licensed in the state of Connecticut licensed to practice in the US. Residents are excluded.

## Speakers\*\*

### Fees, Travel and Lodging Reporting Scenarios:

Scenario	Reporting Requirement for Covered Recipients
Program accredited by ACCME, AMA, AAFP, ADA CERP, or AOA.	No Reporting
Non-Accredited Program to Health Care Professionals***.	Applicant reports pro-rated percentage equal to BIPI's percentage contribution toward Total Program Budget for each covered recipient identified as a Speaker in the program or serving in a non-speaker role contributing to program development.

\*\* Includes Speaker and or Faculty that are presenting or serving in a Chairperson role in the activity; Indirect transfer of Value to Peer Reviewers identified as Covered Recipients for accredited programs are not reportable provided BIPI has no participation in the selection process. Peer reviewers for non-accredited programs are reportable whenever funded by BIPI.

\*\*\*Includes those programs not accredited or accredited by organizations other than ACCME, AMA, AAFP, ADA CERP, or AOA

Please note that these reporting requirements are subject to change.

## **Sunshine Reporting FAQs/Scenarios**

**The following FAQs offer some guidance to common questions regarding BIPI's reporting requirements. Also included are some examples and funding scenarios, to provide direction on and how to determine the transfer of value to report to BIPI.**

### **Q: How do I determine if I must report Transfers of Value to BIPI?**

A: Depending on the details of your engagement, as described in the letter of Agreement from BIPI, applicants will be required to provide either Transfers of Value to Speakers/Faculty and/or food and beverage to attendees.

### **Q: What are Transfers of Value?**

A: Transfers of Value include fees, lodging, food/beverage, snacks and travel provided directly or indirectly to MDs/DOs, optometrists, podiatrists, dentists, chiropractors and fellows who are licensed in the United States as well as certain teaching hospitals (Covered Recipients).

### **Q: Do I need to report transfers of value to Nurses, Pharmacists, Physicians Assistants or other individuals in attendance at programs?**

A: No. Only for advanced practice nurses licensed in state of Connecticut. .

### **Q: I am offering a buffet style meal for 75 attendees, and I know the names of all individuals partaking in the meal. Do I need to report transfer of value for the buffet?**

A: Given that the provider has the ability to identify all attendees at the conference and identify all attendees partaking in the buffet, the transfer of value to attendees who are Covered Recipients must be reported to BI. The only exception is where a large buffet meal, snacks or coffee is provided to all conference attendees and where it would be difficult to establish the identity of the attendees, who partook in the meal or snack. This exception does not apply to meals provided to select attendees at a conference where the identity of the attendees can be established.

### **Q: What if there are multiple sources of funding that are covering meals, how do I account for this when reporting to BIPI?**

A: The percentage of transfer attributed to BIPI, would be equivalent to the percentage of support offered by BIPI in relation to the total funding to conduct the program. If the total program costs were offset by equal grants from 4 sources, the amount reported to BIPI for each "Covered Recipient's meal will be 25% of the meal cost. Please see additional scenarios attached.

### **Q: Will BIPI continue to have thresholds for meal costs?**

A: Yes. BIPI will only fund programs where "modest" meals are provided at independent medical educational programs.

### **Q: Registration fees are applied across all program expenses and not just food and beverage, how do I account for a partial offset of transfer of value in this case?**

A: The Provider should reduce the total program expenses by registration fees before considering the percentage contribution by BIPI. For example where BIPI provides \$25,000 and a percentage equal to two other sources of support:

Total Program expenses:	\$100,000.00
Revenue from Registration:	\$25,000.00
Revenue from outside sources:	\$75,000.00
BIPI Support	\$25,000.00
BIPI's percentage contribution:	33.33%

In this case, each Covered Recipient receives a meal valued at \$21.00, the amount reportable to BIPI would be \$7.00. The same approach should be taken for any Speaker fees or travel/lodging if applicable. Please see additional scenarios attached.

**Q: I am running a series of programs over the next six months, how often do I need to report to BIPI?**

A: It is the Provider's responsibility to report transfers of value within 30 days of a program where such transfer occurred. Similarly, any honoraria or other fees, where applicable, must be reported within 30 days of such transfer of value.

**Q: How do I submit information to BIPI?**

A: Applicants are able to enter and submit the information in the online application. A tab called Transparency Reporting was created to capture each reportable event.

**Q: How can I contact your office for assistance with reporting?**

A: Please send an email to [MEDSCICOMMOps.US@boehringer-ingelheim.com](mailto:MEDSCICOMMOps.US@boehringer-ingelheim.com).

**Transparency Reporting Scenarios**

**Example 1 - BIPI partial funding of a certified activity with plated meals to attendees:**

BIPI has provided 50% funding to an ACCME-accredited provider for a certified live symposium whereby the Total Program Budget is estimated at 200,000 dollars. Within the grant application the provider has stated that the meal costs for the plated dinner for attendees will be \$40 per plate. The grant also specifies that there are registration fees from attendees of which \$30 dollars will be applied to the \$40 meal cost. Upon completion of the activity, it is confirmed that 100 were in attendance and of those in attendance, 35 physicians, 20 nurses and 15 pharmacists had a meal.

- ✓ What to Report for Speakers of this Activity: Since this activity met all three exemption requirements pursuant to the Department of Health and Human Services Centers for Medicare and Medicaid Services (CMS) entitled [Medicare, Medicaid, Children's Health Insurance Programs; Transparency Reports and Reporting of Physician Ownership or Investment Interests](#) whereby (1) this was an accredited HCP educational activity, (2) BIPI did not influence or choose the speakers for this activity,

and (3) BIPI did not directly pay the speakers, the speaker transfers of value are not reportable to BIPI.

- ✓ What to Report for Covered Recipients attending this Activity: A plated meal was provided but it was not fully covered by registration fees from the learners therefore the provider is required to report to BIPI a pro-rated percentage equal to BIPI's percentage contribution toward the Total Program Budget (as indicated in the grant application) less that off-set by the Registration fees, for each Covered Recipient who had a meal. For instance, since BIPI provided 50% of total funding (\$100,000), and the Registration fee adjusted meal cost was \$10 per attendee. The value reported back to BIPI for the 35 Covered Recipients is equal to 50% of that cost or \$5.00 per recipient.

### **Example 2 – BIPI partial funding of a certified live activity with a buffet offered to attendees:**

BIPI has provided 30% funding for an AAFP certified live activity whereby the Total Program Budget is 75,000 dollars and a buffet is being offered to an audience of approximately 100 people. After the activity concludes, the provider learns that 70 learners were in attendance. No registration fees were collected for individuals attending this program.

No registration fees were applied to the meal funds for this activity.

- ✓ What to Report for Speakers of this Activity: Since this activity met all three exemption requirements pursuant to the Department of Health and Human Services Centers for Medicare and Medicaid Services (CMS) entitled [Medicare, Medicaid, Children's Health Insurance Programs; Transparency Reports and Reporting of Physician Ownership or Investment Interests](#) whereby (1) this was an accredited HCP educational activity, (2) BIPI did not influence or choose the speakers for this activity, and (3) BIPI did not directly pay the speakers, the speaker transfer of value are not reportable to BIPI.
- ✓ What to Report Covered Recipients attending this Activity: While the meal was not covered by registration fees of the learner, there is no reporting required for this activity. The activity had more than 50 attendees AND it was difficult to ascertain who took part in the buffet meal.

### **Example 3: BIPI partial funding for a non-accredited live Continuing Medical Education (CME) to healthcare professionals:**

A state medical association is providing a one-day non-accredited live meeting in New York City for 45 attendees. There are no meals being offered to all attendees at this activity. There are two speakers for the event, along with one peer reviewer of the educational content that are Covered Recipients. BIPI provided funds for 25% of the total program budget (\$10,000 for a

\$40,000 total program budget). Both Speakers will be staying in a local hotel for one night and will have meals/travel costs covered through the grant.

**Speaker #1:**

Honoraria	\$2000
Hotel (\$200/night)	\$ 200
<u>Meals (\$70/day)</u>	<u>\$ 70</u>
Total:	\$2270

**Speaker #2:**

Honoraria	\$1500
Hotel (\$200/night)	\$ 200
<u>Meals (\$70/day)</u>	<u>\$ 70</u>
Total:	\$1770

**Peer-Reviewer:**

Honoraria	\$1200
Hotel (\$200/night)	\$ 0
<u>Meals (\$70/day)</u>	<u>\$ 0</u>
Total:	\$1200

- ✓ What to Report for Speakers of this Activity: Since this activity is a non-accredited HCP Medical Education activity the applicant must report a pro-rated percentage of Speaker honoraria, travel and lodging equal to the BIPI percentage contribution toward the total program budget for each Covered Recipient identified as being in a Chair or Speaker role at the activity.
- ✓ In this example there is also a Peer Reviewer, who is receiving an indirect payment and who is a Covered Recipient. The indirect payment to this Peer Reviewer is reportable.
- ✓ In consideration of the percentage support the BIPI provided for this program (i.e., 25%) the applicant would report for each Covered Recipient in the above 3 roles:  
  
Speaker #1: \$567.50  
Speaker #2: \$442.50  
Peer-Reviewer: \$300
- ✓ What to Report for Covered Recipients attending this Activity: Since there was no meal for this activity, there is no reporting for Covered Recipients.

**Example 4: Scenario #3 above with a Buffet Meal**

Attendees provide a registration fee where the fee partially covers the buffet meal costs for attendees. A registration fee of \$20 per attendee is applied to the buffet amount of \$35 per person.

- ✓ What to Report for *Speakers of this Activity*: As stated above, the applicant would report for each speaker/faculty, an amount of the following:

Speaker #1:	\$567.50
Speaker #2:	\$442.50
Peer-Reviewer:	\$300.00

What to Report for *Covered Recipients attending this Activity*: Since there now is a meal being offered at this activity and only 45 attendees (which is under the 50 attendee threshold of BIPI reporting) the meal costs for Covered Recipients must be reported. Additionally since registration fees are only partly covering the costs of the meal, the adjusted meal cost is now \$15/per attendee (i.e., \$35 less \$20). The applicant must report the pro-rated percentage equal to the BIPI percentage contribution to the total program budget for each Covered Recipient identified as having a meal. Therefore, knowing this is \$15 for meals for each attendee, and BIPI provided 25% of funding, the Transferred value to each Covered Recipient to be reported to BIPI would be \$3.75 (i.e., 25% of \$15.00).