

Guidance for Johns Hopkins Medicine Physicians and Advanced Practice Providers Regarding Patient Questions About the Physician Payments Sunshine Act

Payments made by pharmaceutical and medical device companies to physicians, certain advanced practice providers and teaching hospitals in 2024 and reported under the Physician Payments Sunshine Act are now available to the public on the Centers for Medicare and Medicaid Services Open Payments website. The advanced practice providers covered by Open Payments include physician assistants, nurse practitioners, clinical nurse specialists, certified registered nurse anesthetists (including anesthesiologist assistants) and certified nurse midwives.

Your patients may see information about payments made to you or to a Johns Hopkins Medicine teaching hospital. Below are suggested guidelines for responding to patient questions. Adapt them for each question, and ensure that what you say is accurate to your situation.

If you have questions or would like additional guidance, please contact sunshine@jhmi.edu. Please direct any media inquiries to jhmedia@jhmi.edu. Additional information is available [here](#).

1. Why is information about the payments you received from pharmaceutical and medical device companies being made public?

- The federal Patient Protection and Affordable Care Act requires that this information be made public. The goal is transparency. By making information about payments available to the general public, patients can better understand the relationships between physicians, other providers and the companies that make drugs and medical devices.
- Companies that make drugs and medical devices are required to report payments they made to physicians, certain advanced practice providers and teaching hospitals to the Centers for Medicare and Medicaid Services, which is responsible for making the information public.

2. Were the payments you received made directly to you or to the hospital? Respond based on the situation.

- I received some payments personally. For example, I was paid personally as a consultant to [company] to provide advice about [drug development or current therapies for a particular condition/disease]. Or, I was paid personally as a speaker to educate _____ about _____.
- *Generally most applicable to Johns Hopkins University School of Medicine-based researchers:* Companies sponsor a large amount of research, especially clinical research, all over the country. These studies and clinical trials are important for developing new treatments and technology, and for testing the safety and efficacy of new medications and other medical treatments.
 - I am/was a researcher/principal investigator on studies sponsored by companies [perhaps be specific about the study/company]. The company provided the Johns Hopkins University School of Medicine—not the hospital—funds to pay all the costs of the research. That includes things like the costs of medical tests related to the study,

such as scans, X-rays and blood tests; parts of the salaries for research nurses, physicians like me and others; and in some cases, stays in the hospital, investigational drugs and other services.

- The study/clinical trial was thoroughly vetted by Johns Hopkins in accordance with its institutional policies. These policies are designed to maintain the trust of patients and the public, the integrity of the research, and compliance with government regulations.
 - The School of Medicine negotiates a research agreement with the company. The payments are made to the school, not to any individual.
- The Open Payments website also lists payments to teaching hospitals, including hospitals in the Johns Hopkins Health System. Those payments are [usually] separate from payments for research.
- The payment data set is enormous, and some of it may be inaccurate. I do not think the information about some/all of the payments made to me is accurate, and I have submitted a dispute.

3. What did you (or the hospital) do with the money?

- *In the case of personal payments:* The money I earn as a consultant/adviser to companies is personal income, just as my salary from Johns Hopkins is personal income.
- *In the case of research payments to the School of Medicine:* Companies sponsor a large amount of research, especially clinical research, all over the country. These studies and clinical trials are important for developing new treatments and technology, and for testing the safety and efficacy of new medications and other medical treatments. The money that companies pay the School of Medicine covers the cost of doing the research. The school, not the nurses, doctors or researchers separately, receives the money, and it is allocated to pay for the tests related to the study, such as scans, X-rays and blood tests; for parts of the salaries for research nurses, physicians like me and others; and in some cases, for stays in the hospital, investigational drugs and other services.
- *For payments to our teaching hospitals:* The Open Payments website also lists payments to teaching hospitals, including hospitals in the Johns Hopkins Health System. Those payments are [usually] separate from payments for research and could be, for example, grants, gifts or charitable donations.
- The payment data set is enormous, and some of it may be inaccurate. I do not think the information about some/all of the payments made to me is accurate, and I have submitted a dispute.

4. I see you were paid by the company that makes the implant you used for my surgery. Did you choose the company's implant because it was paying you as a consultant/speaker/etc.?

- *Assuming this is accurate:* After input from a large number of physicians, the hospital selects the implants that are made available to our physicians. This is to protect the choice of implants from undue influence by any one individual. I have [a limited/no] role in deciding what type of implants the hospital stocks.
- I chose this implant from among what the hospital stocks because in your case, [clinical rationale; evidence-based decision].

5. Why do you consult for the company?

- In deciding how to develop/improve their drugs/devices, companies rely on input from physicians, other providers and researchers as well as the research findings. I conduct research on _____ and have a lot of clinical experience, so I'm viewed as an expert in the field of _____. I was paid by the company to advise it on _____. It pays me for the time I spend in meetings and consultations with company representatives. I am paid at a rate that is comparable to other physicians in my field.

6. Did Johns Hopkins approve your consulting and/or other outside activities with the company?

- The Johns Hopkins School of Medicine reviews outside activity for conflict of interest and compliance with other institutional policies. Johns Hopkins supports appropriate collaboration between its physicians and industry, and it also has strong policies on conflict of interest, sponsored research and interaction with industry. We have these policies to maintain the trust of our patients and the public, support the highest standards of objectivity and independence in research and clinical care, and support institutional compliance with government regulations.

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