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PPAI Opposes Physician Payments Sunshine Act, S.301 Urges Industry Practitioners To Take Action

Irving, Texas, (February 3, 2009) Promotional Products Association International (PPAI) opposes the Physician Payments Sunshine Act, S.301, recently introduced by Senators Herb Kohl (D-WI) and Charles Grassley (R-IA). This bill requires manufacturers of covered drugs, devices or medical supplies under Medicare, Medicaid or State Children's Health Insurance Program to report to the federal government payments made to physicians, including promotional products provided to them.

PPAI officials have already contacted the sponsors of the bill to voice their opposition, as well as other legislators and members of their staff. PPAI members are encouraged to take action now to let their respective Senators know that they oppose this bill in its current form. Click this link to view a [sample letter](#), which is also available on **PPAI LAW**.

The Physician Sunshine Act requires disclosure of payment or other “transfer of value” to physicians, which means a transfer of *anything of value* and includes, subject to certain exclusions specified in the law, any compensation, gift, honorarium, speaking fee, consulting fee, travel, services, dividend, profit distribution, stock or stock option grant, or ownership or investment interest.

While there is now a \$100 annual aggregate payment threshold that triggers reporting, the previous version in the last Congress had a specific de minimis individual payment threshold. S.301 uses the words to describe a payment as “anything of value” that must be reported. *In the previous version*, it read, “*a transfer of anything of value that exceeds \$25.*” This means that now, every promotional product provided will have to be reported once the annual aggregate is met.

“We are encouraging all of our members to communicate with their two Senators,” said Steve Slagle, CAE, president and CEO of PPAI. “Because mail no longer gets through to Congressional offices in a timely fashion, it is essential that they call them and follow up with written communication by fax or e-mail. Members can get their phone numbers, fax numbers and e-mail addresses by visiting PPAI Law. They can also find that contact information at www.senate.gov.”

“When you call, explain that you are a constituent and ask to speak to a staff person with responsibility for business issues. Explain that you would like to discuss the nature of your business and the potential adverse impact of this bill on your business. If you do not talk with

someone with policy responsibility, at a minimum, explain you are a constituent and that you would like their fax number. No matter what the nature of the conversation, follow up the phone call with written communication by fax or e-mail,” Slagle concluded.

To take action and voice opposition to the Physician Payments Sunshine Act, follow these five simple steps:

1. **Learn:**
 - Familiarize yourself with the issue by visiting PPAI LAW <http://www.capwiz.com/ppa/home/> A sample message that can be used for any type of communication is included.
 - Identify your Representative and Senators. Visit www.house.gov and www.senate.gov The House site allows you to type in your zip code to find your Representative. These sites will provide you with all the information you need about your Senators and Representative to communicate with them.
2. **Call:**
 - Your local congressional office, explain that you are a constituent and tell them that you oppose this law.
 - Call the Washington office, again explain you are a constituent and voice your opposition.
3. **Fax:**
 - Send a fax to both the local congressional office and the Washington office. (You may have to call the office to get a fax number.) Modify the sample letter and be sure to clearly identify yourself as a constituent in the fax.
4. **E-mail:**
 - E-mail your representatives. Include either your zip code or the name of your town in the subject line and clearly identify yourself as a constituent. *You can send an e-mail from the PPAI L.A.W. site or from www.house.gov and www.senate.gov*
5. **Do not mail a letter.** It won't be delivered in time to make a difference

Promotional products are an essential element in the marketing mix. Adding your message to a tangible product turns an ordinary message into a marketing experience your audience can see, touch, hear, smell and even taste. Promotional products are the only way to make a sensible—and memorable—impression. For more information about Promotional Products Association International (PPAI) or to learn more about the proven power of promotional products (including research and case studies), visit the PPAI website at www.ppai.org or contact PPAI at 972-258-3041 or PR@ppai.org.

PPAI—the promotional products industry's only international not-for-profit trade association—offers education, publications, tradeshow, business products and services, mentoring, technology and legislative support to its more than 7,500 global members. Promotional products are more than a \$19.4 billion industry and include wearables, writing instruments, calendars, drinkware and many other items, usually imprinted with a company's name, logo or message. PPAI created and maintains the UPIC (Universal Promotional Identification Code), the industry's only free identification system and universal company database.

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