

Medartis Inc.
Donation Policy

1. Purpose

Medartis may provide Donations to Charitable Organizations. These Donations may include monetary funding, Medartis product or other items and services that are beneficial to a Charitable Organization.

This policy defines the appropriate conduct and standards that Medartis, its employees and Agents must adhere to when providing a Donation on behalf of Medartis.

2. Scope

Medartis Inc. operates in the United States and is a subsidiary of Medartis AG. All references to “Medartis” in this policy are references to Medartis Inc.

All Medartis employees and Agents are responsible for following this policy.

This policy applies to Donations made directly by Medartis and Donations made by an Agent or employee on Medartis’ behalf (i.e., the Donation is attributed to Medartis). In addition, this policy applies to sponsorships of charitable events.

This policy does not apply to the following:

- Donations made to community programs through the “We Care” donation program
- Educational Grants
- Research grants
- Commercial Sponsorships
- Educational items provided to Health Care Professionals
- Product samples provided to Health Care Professionals for evaluation
- Consigned product

3. Key Definitions

Commercial Sponsorship is the purchase of marketing and promotional benefits (e.g., advertising, signage, exhibit space, workshops) by Medartis from the TPEP Organizer for a commercially reasonable fee.

Charitable Organization is an US entity that is tax-exempt under section 501(c)(3) of the Internal Revenue Code or a foreign entity that has an equivalent designation or purpose.

Compliance Committee is a committee of Medartis employees who are responsible for overseeing the implementation of the corporate compliance program in the US. The Compliance Committee members may include the a representative member of the Human Resources Department, the VP of Finance, VP of Sales, the US Legal and Compliance Director, the Global Compliance Officer, and the Medartis US President.

Donations are monetary funds, in-kind items (e.g., instruments, implants) or services given by Medartis to a Charitable Organization to support a charitable purpose other than the education and training of HCPs.

Educational Grants are monetary funds, in-kind items (e.g., instruments, implants) or services given by Medartis to the TPEP Organizer or a training institution to defray or reduce the costs of conducting an educational program or to allow HCPs-in-training (e.g., residents, and fellows) to attend a TPEP.

Health Care Professional (HCP) is any person or entity (a) authorized or licensed in the United States to provide health care services or items to patients or (b) who is involved in the decision to purchase, prescribe, order, or recommend a Medical Technology in the United States. This term includes individual clinicians (for example, physicians, nurses, and pharmacists, among others), provider entities (for example, hospitals and ambulatory surgical centers), and administrative personnel at provider entities (for example, hospital purchasing agents). This term does not include Health Care Professionals who are bona fide employees of Medartis.

Medartis Agent are individuals or entities who are authorized to sell Medartis product under a current written agreement.

Third-Party Educational Programs (TPEP) are medical education events and programs (e.g., medical society annual meeting, journal club meeting, fellowship program) that are initiated and arranged by third parties (i.e., entities other than Medartis or its Agents).

TPEP Organizer are medical societies, fellowship programs or other entities that initiate and organize TPEP. Some examples include American Academy of Orthopaedic Surgeons (AAOS) and American Society for Surgery of the Hand (ASSH).

4. General Requirements for all Donations

A Donation Request and Certification Form must be completed and signed by the requestor before a Donation is provided.

The Compliance Committee is responsible for reviewing Donation requests in accordance with this policy.

All requests for Donations except those supporting charitable events (see section 6) must be reviewed by the Compliance Committee before product, monetary funds, in-kind items, or services are given to the Charitable Organization. Only requests that are approved by the Compliance Committee may be funded.

Sales personnel should not control or unduly influence the decision of whether a particular Charitable Organization will receive support or the amount of the support. Sales personnel may provide input about a proposed Donation Request.

Medartis provides Donations for charitable purposes only. Medartis does not make Donations for the purpose of marketing its products, gaining a new customer or retaining an existing selling relationship. If one of the purposes for the Donation is for these prohibited purposes, then the Donation request will be denied.

Medartis employees and Agents may not make personal donations for the purpose of circumventing this policy.

5. Product Donations

When Medartis donates product for indigent patient care, the HCP requesting the Donation must certify that they are not charging the patient or third parties (e.g., Medicare, Medicaid, private insurers) for the health services provided.

Medartis employees or Agents must not ship donated product outside of the United States without the written approval of the VP of Regulatory.

6. Charitable Events

Requests by Medartis employees or Agents to attend charitable events must be reviewed by the US Compliance Director and do not require a review by the Compliance Committee.

All requests to attend or support charitable events must be reviewed before payment is made to the Charitable Organization and before the event occurs. Only requests that are approved by the US Compliance Director may be funded.

Medartis employees and Agents cannot pay for charitable event tickets for HCPs or their guests to attend the event.

7. Review Criteria

The Compliance Committee will review Donation requests to determine the following:

- a. Whether the purpose of the Charitable Organization is appropriate
- b. Whether the purpose of the Donation request is for a good cause
- c. Whether the amount requested is reasonable in relation to the purpose of the Donation
- d. The Charitable Organization's tax status under Federal law
- e. Other factors the Compliance Committee deems necessary

8. Compliance

If you have any questions regarding the conduct and standards that are defined in this policy, please contact the US Director of Compliance.

Allegations of noncompliance with this policy will be investigated. Failure to comply may result in disciplinary action for Medartis employees or termination of a Sales Agency Agreement for Medartis Agents.