

Medartis Inc.

Supporting Third Party Educational Programs Policy

1. Purpose

Third-Party Educational Programs (TPEP) are medical education programs that are initiated and arranged by third parties (i.e., entities other than Medartis or its Agents). Medartis may support TPEPs through Educational Grants or Commercial Sponsorships or both.

This policy defines the appropriate conduct and standards that Medartis, its employees and Agents must adhere to when supporting a TPEP or interacting with the TPEP Organizer or training institution.

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 all support given to a TPEP on behalf of Medartis. (i.e., the funding is attributed to Medartis).

This policy does not apply to Medartis Sponsored Medical Education (MSME) events, research grants or Donations.

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.

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.

External Funding Request is a request for an Educational Grant or Commercial Sponsorship that is initiated by a third-party (i.e., an entity other than Medartis or its Agents). Typically, External Funding Requests are made by customers or potential customers of Medartis or an entity that the customer is affiliated with. External Funding Requests are reviewed by the Grant Committee.

Funding Request means both External and Internal Funding Requests.

Grant Committee are a committee of noncommercial Medartis employees who are responsible for reviewing requests for Educational Grants and Commercial Sponsorships in accordance with this policy. The Grant Committee members may include the US Compliance Director, VP Regulatory, VP Finance, VP Operations, or their designee.

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.

Internal Funding Request is a request for an Educational Grant or Commercial Sponsorship that is initiated by a Medartis employee or Agent. Typically, Internal Funding Requests are made by Medartis' Medical Education Department. Internal Funding Requests are reviewed by the US Director of Compliance.

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

Medartis Sponsored Business Meetings (MSBM) are meetings that are initiated and arranged by Medartis employees or Medartis Agents for the purpose of promoting Medartis products and services with HCPs. MSBMs are more commonly referred to as "meetings with customer", "in-service lunch or breakfast" and "plant tours".

Medartis Sponsored Medical Education (MSME) are events that are initiated and arranged by Medartis employees or Medartis Agents for the purpose of training HCPs on the approved uses of Medartis products.

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. External and Internal Funding Requests

The Grant Committee is responsible for reviewing all External Funding Requests in accordance with this policy.

The US Director of Compliance is responsible for reviewing all Internal Funding Requests in accordance with this policy.

All Funding Requests must be reviewed before funds, in-kind items or services are given to the TPEP Organizer or training institution. Only Funding Requests that are approved may be funded.

A written and fully executed agreement between Medartis and the TPEP Organizer must be completed before monetary or in-kind support is provided.

Medartis will not enter into unrestricted grant agreements. Agreements must contain restrictions that support the requirements defined in this policy.

Sales personnel should not control or unduly influence the decision of whether a particular TPEP Organizer or training institution will receive support or the amount of the support. Sales personnel may provide input about a proposed TPEP.

The TPEP Organizer may use Educational Grant funds to defray or reduce the costs of conducting the TPEP. However, Educational Grant funds may not be used for:

- a. Items or activities that are not allowed under the AdvaMed Code (e.g., gifts, awards, entertainment).
- b. Travel, lodging or registrations fees for HCPs to attend the program except as follows:

- i. TPEP Faculty – Educational Grant funds may be used to cover the reasonable compensation, travel, lodging, and modest meals of Health Care Professionals who serve as bona fide faculty at the TPEP.
- ii. Residents and Fellows – Educational Grant funds may be used to allow HCPs-in-training (e.g., residents, and fellows) to attend the TPEP, provided that Medartis does not select or control the selection of the specific HCP-in-training who will benefit.

Grant funds will be paid directly to the TPEP Organizer or training institution. Medartis will not provide any contribution (whether monetary or in-kind) directly to an individual HCP or pay directly for an individual HCP's registration, fees, or travel or lodging expenses to attend a TPEP.

Medartis employees and Agents may not provide support to a TPEP using their own funds for the purpose of circumventing this policy.

Medartis employees and Agents must adhere to all standards established by the TPEP Organizer or the body accrediting the TPEP, as applicable.

Medartis may hold Medartis Sponsored Business Meetings (MSBM) or Medartis Sponsored Educational Events (MSME) before, during or after a TPEP as long as the Medartis event conforms to the TPEP's policies regarding industry events.

5. Review Criteria

Medartis may receive requests to support TPEP that include requests for both Educational Grants and Commercial Sponsorships. Sometimes these requests can be co-mingled. The Grant Committee will consider the following questions when evaluating requests for Educational Grants and Commercial Sponsorships:

Educational Grant Requests

- a. Is the request for funding reasonable and reflective of the educational purpose of the program?
- b. Do the topics, faculty, attendees, and educational materials reflect an objective, legitimate, educational purpose?
- c. Are the venue and setting conducive to the exchange of educational information?
- d. Does the agenda reflect the legitimate educational, medical, scientific, or policymaking purpose of the meeting?
- e. Do any of the meals or refreshments, recreational activities, or free time provided detract from the primary purpose of the TPEP?
- f. Does the TPEP appear to primarily promote the medical services of a specific provider (for example, a program focused on highlighting a particular physician practice group's medical services vs. appropriate educational topics)?
- g. For resident and fellow travel grants, is the TPEP part of the required curriculum of the training institution or required for a medical license or certification?
- h. For fellowship program support, will any of the funds be used for patient care or to defray the expenses of a medical practice?

Commercial Sponsorship Requests

- a. Is the TPEP Organizer charging a commercially reasonable fee in exchange for the marketing and promotional benefits that Medartis will receive? When evaluating whether the fee is commercially reasonable, the Grant Committee should consider the following:
 - i. The target audience of the TPEP
 - ii. The number of attendees
 - iii. Is the fee in the range of what is charged at similar TPEPs for similar benefits?

If the Grant Committee determines that the fee is not commercially reasonable, the Grant Committee may handle the request as a request for Educational Grant funding.

- b. If sponsoring a specific meal or event at the TPEP, does the event include any entertainment or recreational activities? Providing entertainment or recreation to an HCP is prohibited.
- c. If sponsoring an item that is given to attendees, does the item benefit patients or is it educational? Providing noneducational or branded promotional items is prohibited.

6. 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.