

Joint AdvaMed/Eucomed Distributor Guidance

Terms of Use for Distributor Training Tool

Introduction

Given the increasingly global nature of the medical device and diagnostics industry, and further to the [Joint Guidance For Medical Device And Diagnostics Companies On Ethical Third Party Sales And Marketing Intermediary \["SMI"\] Relationships](#), AdvaMed, Eucomed and the law firm of Kaye Scholer developed an anti-bribery training tool as an example for member company use in developing and providing distributor training. The tool is designed to facilitate the training of distributors and other third parties involved in the marketing or sale of medical devices and diagnostics, an important component of any effective global anti-corruption compliance program.

The tool is offered as a starting point for companies developing anti-bribery training programs. The tool should be further tailored to each company's third party SMI relationships, policies, business model, region, and any other factors that are relevant to a company's anti-corruption risk profile.

Overview of Content

The tool sets forth basic principles of anti-bribery compliance, based on elements of key national anti-bribery laws, and it focuses training on certain areas of potential medical device industry risk, such as travel and entertainment. Companies are encouraged to review the tool to ensure consistency with national and local laws applicable to their business, and to address other risks relevant to the company's business and operations (such as specific regional or business risk).

The tool is intended to serve as *one* component of a well-rounded training program. Training through examples and hypotheticals will reinforce content. For this reason, the tool provides a placeholder for questions and examples for training purposes. Companies should consider tailoring the slides to their business, business policies, and include their own examples based on an assessment of specific risks presented by their individual business practices.

Overview of Company Use

The tool is provided solely for informational purposes and should not be construed as providing recommendations, endorsements or legal advice. Companies should be guided by applicable legal standards, their own business practices, and the following guidance documents:

- [AdvaMed and Eucomed Joint Guidance for Medical Device and Diagnostics Companies on Ethical Third Party Sales and Marketing Intermediary \("SMI"\) Relationships](#)
- Third Party SMI Common Questionnaire (*coming soon*)
- [AdvaMed Code of Ethics on Interactions with Healthcare Professionals](#)
- [Eucomed Code of Ethical Business Practices](#)

The use of this tool is entirely voluntary and companies should add, omit, or tailor questions and hypotheticals as needed. However, AdvaMed, Eucomed and Kaye Scholer's logos should not be copied or added to any new/added/modified slide, and the content of existing slides may not be altered without express consent from AdvaMed, Eucomed and Kaye Scholer. AdvaMed, Eucomed and Kaye Scholer provide this tool with the express understanding that AdvaMed, Eucomed and Kaye Scholer are not providing legal advice. The content of the tool is made as of the date of the tool's issue and is subject to change without notice.