

**Comparison of the AdvaMed, PhRMA, MedTech Europe, and Mecomed Codes Related to Company-Conducted Programs and Meetings**

<b>Topic</b>	<b>AdvaMed Code of Ethics on Interactions with U.S. Health Care Professionals</b>	<b>PhRMA Code of Ethics on Interactions with Health Care Professionals</b>	<b>MedTech Europe Code of Ethical Business Practice</b>	<b>Mecomed Code &amp; Guidance on Virtual and Hybrid Events</b>
Effective Date	Effective June 1, 2022	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2021
Company Training / Education	<p>Medical device companies have a responsibility to train and educate Health Care Professionals on their medical technologies, the procedures where they are used, and related information.</p> <p>When conducting training and education programs relevant to medical technology, companies should consider:</p> <ol style="list-style-type: none"> <li><b>Settings</b> conducive to the program, including virtual, clinical, educational, or conference spaces, including potentially commercial or hotel venues, but the location should not be the main attraction.</li> <li><b>Faculty</b> capable of delivering the training, whether Health Care Professionals or Company employees, who have proper qualifications and relevant technical expertise.</li> <li><b>Attendees</b> with a legitimate need to attend a Company-conducted training or educational program (e.g. who need to understand the use of relevant technology for their work).</li> <li><b>Compliance</b> with generally applicable travel, lodging, meal, and refreshment standards, and FDA or other regulatory guidance.</li> </ol>	<p>“Informational Presentations” and discussions by company representatives are intended to provide valuable scientific and clinical information about medicines that may lead to improved patient care. These meetings must comply with generally applicable travel, lodging, and refreshment standards.</p> <p>“Speaker Programs” by Health Care Professionals provide substantive educational information about benefits, risks, and appropriate uses of medicines and disease states. When a speaker program entails a meal, companies should ensure:</p> <ol style="list-style-type: none"> <li>An appropriate educational purpose;</li> <li>Bona fide educational need of participants;</li> <li>Meals or refreshments are modest;</li> <li>No alcohol is provided;</li> <li>Venue is conducive to informational communication;</li> <li>Physical presence of company representative;</li> <li>Clear delineation of Speaker Programs from CME;</li> <li>Adequate speaker trainings;</li> <li>Periodic monitoring for FDA compliance.</li> </ol> <p>However, the PhRMA code “does not address attendance at a speaker program that does not include an incidental meal to the attendee.”</p>	<p>Product and Procedure Training and Educational Events are appropriate to facilitate the safe and effective use of Medical Technologies by professionals. Companies may make procedure trainings available by paying the cost of attendance.</p> <p>Any Company Training or Education Events must:</p> <ol style="list-style-type: none"> <li>Provide a rigorous scientific and/or educational point of view, including current information relevant to attendees;</li> <li>Provide genuine education, without a primary sales or marketing objective;</li> <li>Provide advance notice of the organizing Company and contents, to allow providers to judge the rigor and quality of the program;</li> <li>Involve full days, with the majority of the morning and afternoon dedicated to educational sessions, avoiding non-scientific or non-educational activities.</li> </ol>	<p>In general, events supported in any way by Member Companies, irrespective of who organizes the event, should be:</p> <ol style="list-style-type: none"> <li>Scientifically rigorous and directly relevant to the attendees’ specialty of medical practice;</li> <li>Available to attendees prior to the event;</li> <li>Present a clear schedule including clear attribution to the organizing Company with no gaps other than reasonable refreshment breaks;</li> <li>Conducted by personnel with appropriate expertise;</li> <li>Focused on bona fide education rather than sales or marketing objectives.</li> </ol> <p>Appropriate Company-organized events include, but are not limited to:</p> <ol style="list-style-type: none"> <li>Company Educational Events (e.g. product training, procedure training, general education)</li> <li>Manufacturing site visits (may pay HCP expenses for international travel only with full-day program)</li> <li>Company Promotional Events (no air travel allowed unless for demonstration of non-portable equipment)</li> </ol> <p>It is inappropriate for a guest of a HCP to attend either company educational events or to participate in hospitality related to events.</p>

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Third Party Education / Programs	<p>Companies may provide support for third-party educational meetings, including through:</p> <ol style="list-style-type: none"> <li><b>Educational Grants</b> that reduce costs of conducting the program or otherwise to provide items of permissible value including meals, refreshments, and educational items.</li> <li><b>Commercial Sponsorships</b> which reflect a commercially reasonable fee in exchange for marketing benefits to the company.</li> <li><b>Satellite Symposia</b> affiliated with a third party program, although these are considered Company-conducted programs and must be labeled and promoted as such.</li> </ol> <p>If permitted by applicable standards, a company can:</p> <ol style="list-style-type: none"> <li>Recommend a knowledgeable faculty or appropriate categories of attendee</li> <li>Select and send faculty to the Third-Party Program to speak on the Company’s behalf (with appropriate consulting arrangements and disclosures of affiliation to the audience).</li> </ol> <p>Sales personnel may provide input on these programs, but should not control or unduly influence decision making around Educational Grants.</p>	<p>Support for third-party educational or professional meetings is appropriate when (a) the time and effort of a gathering is primarily dedicated to promotion of objective scientific and educational activities, and (b) the main incentive for bringing attendees together is to further their knowledge on the relevant topic.</p> <p>When companies underwrite continuing medical education, the power to select an appropriate in-person or digital venue “belongs to the organizers of the conferences or meetings in accordance with their guidelines.” PhRMA participating companies should not provide any advice or guidance even if asked.</p> <p>When providing financial support for CME, a company should reimburse the CME provider directly, to permit elimination or reduction of fees for all participants.</p>	<p>Companies may provide support for third-party educational meetings, including through:</p> <ol style="list-style-type: none"> <li><b>Educational Grants</b> provided to organizations, rather than individuals.</li> <li><b>Promotional Activity</b> including commercial sponsorships and advertising which is professional in nature without reducing confidence in the industry.</li> <li><b>Satellite Symposia</b> purchased from a third party to provide presentations on subjects consistent with overall content of a Third Party Organized Educational Conference; Member companies may determine content and select speakers, subject to approval of the third party.</li> <li><b>Third Party Organized Procedure Training</b> potentially including reimbursement for travel, hospitality, and registration fees.</li> </ol> <p>Companies may not:</p> <ol style="list-style-type: none"> <li>Select participants in the event;</li> <li>Proactively seek the names of Health Care Professionals benefitting from the grant (unless required by law);</li> <li>Determine the content of a program, or its presenting faculty, if the grant is given to an organizer of a Third Party Event (may comment if asked).</li> </ol> <p>Companies may not provide support for travel, accommodation, or other expenses of Health Care Professionals for participating in Company events which take place during/around/simultaneously with a Third Party Organized event.</p> <p>Certain third party organized educational events require approval through the Conference Vetting System (CVS), an independently managed system that reviews the compliance of the event with the Code.</p>	<p>Companies may provide financial or in-kind support to Third-Party Organized Events, if approved by CVS, including:</p> <ol style="list-style-type: none"> <li><b>Educational Grants</b> for a specific purpose (e.g. to support provider attendance), provided to organizations who control how the funds are applied (e.g. by selecting attendees) as outlined in a grant agreement.</li> <li><b>Promotional Activity</b></li> <li><b>Satellite Symposia</b> (with additional guidelines on speaker selection and reimbursement)</li> <li><b>Third-Party Procedure Training</b></li> </ol> <p>With limited exceptions, CVS is a mandatory process for all Mecomed Member Companies and is binding on third-party intermediaries.</p> <p>Third-party event programs should be:</p> <ol style="list-style-type: none"> <li>Directly relevant to the attendees’ specialty of medical practice;</li> <li>Available to attendees prior to the event;</li> <li>Present a clear schedule with no gaps other than reasonable refreshment breaks;</li> <li>Under the sole control and responsibility of the third-party organizer, including for content, speaker selection, and speaker compensation; and</li> <li>Identify the faculty presenting the event.</li> </ol> <p>It is inappropriate for a guest of a HCP to attend either third-party organized educational events or to participate in hospitality related to events.</p> <p>Educational Grants or other donations shall not be contingent on volume or value of business, and shall not be made to HCPs directly. Companies shall establish independent decision-making/review processes, document decisions, and to mitigate bribery or corruption risks in compliance with applicable law.</p>

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Company Business Meetings	<p>Principles for Conduct of Business Meetings include:</p> <ol style="list-style-type: none"> <li><b>Legitimate Need</b> for conducting the meeting;</li> <li><b>Setting</b> conducive to discussion of relevant information;</li> <li><b>Attendees</b> with an objective, legitimate need to attend the business meeting;</li> <li><b>Compliance</b> with generally applicable travel, lodging, meal, and refreshment standards.</li> </ol>	<p>Modest meals or receptions may be appropriate during company-sponsored meetings with Health Care Professional commercial consultants.</p> <p>Companies should not provide recreational or entertainment events in conjunction with meetings with Health Care Professional consultants.</p> <p>Absent a formal consulting arrangement, it is <b>inappropriate</b> to pay honoraria, travel, or lodging expenses to non-faculty and non-consultant attendees of company sponsored meetings.</p>	<p>Member Companies may organize sales, promotional, and other business meetings where the objective is to:</p> <ol style="list-style-type: none"> <li>Discuss Medical Technology, including related services, features, or benefits;</li> <li>Conduct contract negotiations;</li> <li>Discuss sales terms.</li> </ol> <p>These meetings should be conducted at or near the customer’s place of business; it is inappropriate to provide support for travel or compensation in these cases, except where demonstrations of non-portable equipment are necessary.</p>	<p>Companies may organize a “Company Promotional Event” with an objective to:</p> <ol style="list-style-type: none"> <li>Discuss Product services, features, and benefits;</li> <li>Conduct contract negotiations;</li> <li>Discuss sales terms with authorized HCPs.</li> </ol> <p>In conducting Company Promotional Events, Companies may provide reasonable and modest meals, and land transportation.</p> <p>When conducting these meetings, unless a demonstration of non-portable equipment is necessary, it is <b>inappropriate</b> for a Company to provide:</p> <ol style="list-style-type: none"> <li>Air Travel;</li> <li>Accommodation Support;</li> <li>Conduct contract negotiations;</li> <li>Discuss sales terms with authorized HCPs.</li> </ol>
Virtual Programs	<p>The Code discusses virtually-conducted programs as an alternative to in-person programs.</p> <p>“Virtual” means “An interaction that involves attendees participating in a virtual environment that is generally enabled by digital technology rather than meeting in a physical location.”</p> <p>The option to use a virtual program may affect the calculation of “legitimate need” for out-of-town travel, because companies “may wish to consider whether the legitimate need could be met via a virtually-conducted program”; the Code encourages use of settings “conducive to effective transmission of information” including virtual meetings.</p>	<p>The Code applies to in-person as well as “virtual meetings conducted via a digital platform (with audio and/or video conferencing capabilities) with or without an associated in-person event.” This includes CME events, third-party scientific and educational conferences, and professional meetings.</p> <p>Virtual Speaker Programs may not provide meals, because the PhRMA code requires physical presence of a company representative. However, virtual speaker programs that do not provide a meal permitted, because such meetings are not covered by the PhRMA code (see Company Training / Education, above).</p>	<p>Virtual Events (also called “Virtual Third Party Organised Educational Events”) include filming of presentations, panel discussions, or live procedures without a physically present audience. These events must “comply with any part of the Code that is by its nature applicable to them.”</p> <p>Member companies may support the creation and availability of these events, but may not provide direct support or remuneration for providers’ attendance.</p> <p>Virtual Events without HCP attendees are exempt from the Conference Vetting System (CVS). CVS is an independently-managed system which reviews compliance of “Third Party Organized Educational Events” with the Eucomed Code of Ethical Business practice.</p>	<p>Mecomed provides supplemental guidance on digitally-enabled events which are not found in the main code. These guidelines cover:</p> <ol style="list-style-type: none"> <li>Virtual Events: Broadcasts to an audience not physically in attendance.</li> <li>Hybrid Events: Mix of speakers and HCPs attending physically or virtually.</li> </ol> <p>These events are subject to the same purpose-related requirements as in-person meetings.</p> <p>Meals are permitted at virtual events when the event is:</p> <ol style="list-style-type: none"> <li>Minimum 2 hours duration, not including meal time;</li> <li>Attended by a minimum of 3 HCPs;</li> <li>Taking place in an office or clinical setting (no meal deliveries to homes are permitted).</li> </ol> <p>In these cases, actual meals should be provided, rather than cash or gift cards.</p> <p>CVS approval is <b>not required for virtual</b> Third-Party Educational events, but is required for hybrid events.</p>

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Food	<p>A Company may occasionally provide health care professionals with modest meals and refreshments, provided the meal is provided with an appropriate:</p> <ul style="list-style-type: none"> <li>A. <b>Purpose</b>, so that the meal is subordinate to discussion or presentation of medical technology development or improvement, pricing and contract negotiation, or an educational session;</li> <li>B. <b>Setting &amp; Location</b>, which is conducive to the bona fide purpose, including an office or restaurant;</li> <li>C. <b>Participant</b>, specifically health care professionals with a bona fide purpose for attendance.</li> </ul> <p>It is <b>inappropriate</b> to provide food:</p> <ol style="list-style-type: none"> <li>1. For an entire office staff unless all attend the meeting;</li> <li>2. If a Company representative is not present (e.g. a 'dine &amp; dash' program);</li> <li>3. For guests of the health care professionals without a bona fide professional interest in the information shared during the meeting.</li> </ol> <p>Modest meals and refreshments may be provided for Company-conducted meetings that are held virtually.</p> <p>Companies are "strongly encouraged to develop policies on providing modest and occasional meals to Health Care Professionals." This policy may include an overall cap on expenses, and varying expenses by geographic region.</p>	<p>In connection with presentations or discussions to provide valuable scientific and clinical information regarding medicines, it is appropriate for occasional meals to be offered to health professionals and their staff, provided such meals are:</p> <ol style="list-style-type: none"> <li>a. Modest according to local standards;</li> <li>b. Not part of an entertainment or recreational event;</li> <li>c. Provided in a manner conducive to informational communication;</li> <li>d. Provided in an in-office or in-hospital setting.</li> </ol> <p>It is <b>inappropriate</b> to provide food:</p> <ol style="list-style-type: none"> <li>a. To spouses or other guests who are not appropriate recipients of the information in a given session;</li> <li>b. Without a reasonable expectation and steps taken to confirm that each attendee has a substantive interaction with a Company representative;</li> <li>c. On a 'grab-and-go' basis for consumption without a Company representative;</li> <li>d. To repeat-attendees or Speakers who then attend as guests, unless there is a bona-fide educational need for their attendance.</li> </ol> <p>Companies should not provide meals directly at CME events, unless the CME provider uses their own discretion to apply a Company's financial support to meals.</p>	<p>Member Companies may "provide reasonable hospitality" to Health Care Professionals in the context of Company Events and Third Party Educational Events. Member companies must assess what is "reasonable" in any given situation, including reasonable variations by geographic region.</p> <p>Member companies <b>may not</b> facilitate home delivery of meals if providers attend Virtual Events from home.</p> <p>Member Companies are <b>not permitted</b> to pay for or facilitate meals for guests of Health Care Professionals or others without a bona fide professional interest in a given event.</p>	<p>Companies "may provide reasonable hospitality" to HCPs participating in legitimate business meetings or educational activities, which must be subordinate in time and focus to an event's purpose.</p> <p>In any event, companies must meet the requirements governing hospitality in the country where the HCP carries on their profession, in addition to requirements of the country where an event is hosted.</p> <p>Member companies may not facilitate or pay for meals for Guests of HCPs, or other persons without a bona fide professional interest in an event.</p>
Alcohol	<p>Modest refreshments may include alcohol, and Companies may consider adopting controls including per-drink, drink type, and spending limits. Companies may inform their policies by reference to AdvaMed benchmarking surveys on best practices for meals and refreshments.</p>	<p>Companies should not pay for or provide alcohol in connection with Speaker programs.</p>	<p>Alcohol may not be provided as a gift to Health Care Professionals. However, provision of alcohol pursuant to reasonable local standards is not strictly prohibited by the guidelines on "Reasonable Hospitality."</p>	<p>The Mecomed Code does not specifically reference alcohol.</p>
Venue	<p>The venue and setting of a third-party program should be</p>	<p>The venue and circumstances of any educational</p>	<p>The event location and venue should not become the</p>	<p>The event location and venue should not become the main</p>

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Considerations	<p>conducive to the exchange of educational information.</p> <p>When considering whether to sponsor an educational program, at a luxury/resort/getaway location, a Company “may want to consider other factors about the program to determine if, on the whole, the program is appropriate” including:</p> <ol style="list-style-type: none"> <li>1. Robust agenda, and intention of any gaps or breaks;</li> <li>2. Associated entertainment or recreational activities;</li> <li>3. Promotion of entertainment purposes in a venue’s advertising materials;</li> <li>4. Adequacy of conference facilities;</li> <li>5. Audience composition.</li> </ol>	<p>session or meeting with consultants should be conducive to the underlying activities that are the primary focus of the meeting.</p> <p>Resorts, High-End Restaurants, and Entertainment, Sporting or other recreational venues are not appropriate for educational sessions (including Speaker programs and CME) or for consultant meetings. In selecting a venue, a Company should select a venue that is not extravagant, and avoid the appearance that the venue itself is a main attraction.</p>	<p>main attraction of an event. Member Companies should consider:</p> <ol style="list-style-type: none"> <li>1. <b>Public Perception</b> – to avoid perceived image of luxury or entertainment;</li> <li>2. <b>Location</b> – centrally located near the place of residence for the majority of attendees;</li> <li>3. <b>Accessibility</b> – simple and easy for attendees;</li> <li>4. <b>Suitability</b> – near a city or town recognized as a scientific or business center, conducive to the exchange of information;</li> <li>5. <b>Season</b> – to avoid association with the touristic season of a given location.</li> </ol>	<p>attraction of an event. Member Companies should consider:</p> <ol style="list-style-type: none"> <li>1. <b>Public Perception</b> – to avoid perceived image of luxury or entertainment, to promote effective transmission of knowledge or hands-on training.</li> <li>2. <b>Location</b> – centrally located near the place of residence for the majority of participants.</li> <li>3. <b>Justification</b> – in principle it is inappropriate to host at hotel/resort/recreation facilities, but it may be justifiable under specific enumerated circumstances with specific controls.</li> <li>4. <b>Exceptions</b> – Third-party educational events in locations that do not otherwise comply with these rules may be approved on a case-by-case basis, based on assessment under Conference Vetting System criteria.</li> </ol>
Travel / Lodging	<p>Companies may pay for HCPs modest and reasonable travel and lodging costs to attend a company-conducted program or meeting, in order to:</p> <ol style="list-style-type: none"> <li>1. Provide consulting services via an executed consulting agreement, with an objective and legitimate reason for in-person participation;</li> <li>2. Attend company-conducted training, or educational program, or meeting, with an objective and legitimate reason for in-person attendance;</li> <li>3. To speak for a company at a third-party program;</li> <li>4. For other purposes including plant tours, demonstrations, and similar activities, provided there is a legitimate, objective reason for in-person attendance.</li> </ol> <p>Principles relevant to the reasonableness of travel arrangements include:</p> <ol style="list-style-type: none"> <li>1. Legitimate need for attendance;</li> <li>2. Modest accommodations;</li> <li>3. Controls on timing and location;</li> <li>4. Avoidance of personal travel;</li> <li>5. Proper setting;</li> <li>6. Compliance with federal and state law.</li> </ol> <p>It is <b>inappropriate</b> to arrange travel or lodging for third-party program.</p>	<p>It is appropriate for bona fide consultants who provide advisory services to be offered reimbursement for travel, lodging, and meal expenses incurred as part of their services, provided it is reasonable and based on fair market value.</p> <p>Financial support <b>should not be offered</b> for travel, lodging, time spent, or other expenses of non-faculty health care professionals attending a CME, third-party conference, or professional meeting.</p> <p>It is <b>inappropriate</b> to pay honoraria or travel or lodging expenses to non-faculty, non-consultant health care professional attendees of company meetings.</p>	<p>Generally, companies may only pay or reimburse reasonable travel, including economy and standard airfare, and business class for flights greater than 5 hours, but never first class tickets. In addition:</p> <ol style="list-style-type: none"> <li>1. <b>Faculty:</b> Companies may pay the travel expenses of faculty, pursuant to the terms of a bona fide consulting arrangement.</li> <li>2. <b>Delegates:</b> HCP attendees of an event without a bona fide consulting arrangement may not receive in-kind support for attendance of events, although in-kind support may be provided to Healthcare Organizations, rather than individuals, to facilitate individual attendance.</li> </ol> <p>Companies cannot directly support travel and/or accommodation for HCPs participating in Company Events co-occurring with a Third Party Organized Event. However, Company events may be organized around a third party educational event, for convenience; in the presence of overlap a company may only pay for contractually specified remuneration and expenses (not incremental expenses of third party event attendance).</p> <p>It is inappropriate to provide travel or accommodations to HCPs for sales or marketing meetings, except for necessary demonstrations of non-portable equipment.</p>	<p>Member companies may pay for or reimburse HCP for both actual costs of travel and lodging expenses at hotels that constitute an appropriate venue. Reimbursement is limited to “reasonable” accommodations, considering:</p> <ol style="list-style-type: none"> <li>1. Regional Variations</li> <li>2. Compliance with Local Law</li> <li>3. Professional Codes of Conduct</li> <li>4. Appearance of an entertainment purpose</li> </ol> <p>However, advance payment should be made directly to the vendor or an intermediary, and no HCPs should be advanced the costs of lodging or travel, be reimbursed for guest travel, or provided with support beyond the timeframe of an event.</p> <p>Member companies may not pay for or reimburse HCP lodging expenses at hotels where it would not be justifiable to hold an event (i.e., at an inappropriate venue), or pay travel expenses for company events co-occurring with third party events.</p> <p>Air Travel Guidelines specify permitted ticket purchases:</p> <ol style="list-style-type: none"> <li>1. Economy – Flights less than 5 hours</li> <li>2. Business – Flights more than 5 hours</li> <li>3. First Class – Never Appropriate</li> <li>4. Promotional Events – Not appropriate absent demonstration of non-portable equipment</li> <li>5. International Travel – Permitted, but some restrictions may apply (e.g. facility tours)</li> </ol>
Rejection of Entertainment &	Entertainment and recreation are “inconsistent with the appropriate business purpose of a Company’s	Company interactions are “professional in nature and are intended to facilitate the exchange of	Entertainment must be “outside of the educational programme schedule and paid for separately by the	A member company “shall not organize Events addressed at Healthcare Professionals which include social, sporting, and/or

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Recreational Purposes	<p>interactions with Health Care Professionals.”</p> <p>A member Company “<b>may not</b> provide or pay for any entertainment or recreational event for a Health Care Professional.”</p> <p>Prohibition applies regardless of the (1) value, (2) consultant arrangement, (3) presence of educational purpose.</p>	<p>medical or scientific information that will benefit patient care”; restrictions are to “ensure the appropriate focus on education” and “avoid the appearance of impropriety[.]”</p> <p>A member Company “<b>should not</b> provide any entertainment or recreational items . . . to any health care professional who is not a salaried employee of the Company.”</p> <p>It is <b>inappropriate</b> to provide items like event tickets, leisure goods, travel vouchers, other non-educational items, or cash-equivalents, <b>regardless</b> of their value.</p>	<p>Healthcare Professionals” and “should not dominate or interfere” with educational/scientific purpose, and not “overlap with a scientific session.” Cannot be the “main attraction” of an event.</p> <p>A member Company “<b>shall not</b> organize Events which include social, sporting, and/or leisure activities or other forms of Entertainment, nor support such elements where part of Third Party Organised Educational Events.”</p> <p>The Code “seeks to find a balance between courteous and professional treatment” and “the desire to avoid even the appearance that hospitality may be used” to encourage the use of a Company’s products.</p>	<p>leisure activities or other forms of entertainment, nor support such activities as part of Third-Party Organized Educational Events.”</p> <p>Entertainment must be outside of the educational program schedule and paid for separately by HCPs.</p> <p>Entertainment, a venue, or location should not be the main attraction or be emphasized in supporting materials or advertising.</p> <p>Promotional or educational items may be provided for a proper purpose, and may be featured in “prize draws” if otherwise compliant with the Mecomed Code.</p>
Engaging Consultants for Meetings	<p>Companies may engage HCPs to, among other services, conduct training and education, as long as they have the proper qualifications and expertise, subject to Code provisions on consulting arrangements with HCPs. Principles to be applied to all consulting arrangements with HCPs (with appropriate documentation regarding the same), include:</p> <ol style="list-style-type: none"> <li>1. Legitimate need for the services should be identified prior to the engagement;</li> <li>2. Consultant selection should be based on qualifications (not sales considerations) and the number of consultants needed</li> <li>3. Fair market value compensation should be provided for services provided;</li> <li>4. Documented, reasonable, and actual expenses can be covered if necessary to carry out the consulting arrangement;</li> <li>5. Written agreements describing services provided and compensation paid should be entered into by the parties; and</li> <li>6. Sales personnel cannot control or unduly influence decisions to engage HCPs as consultants.</li> </ol>	<p>Companies may engage HCPs as consultants for various purposes, including as educational speakers at external promotional programs. These consulting arrangements should not be used as inducements or rewards for clinical decisions. Factors relevant to a bona fide consulting arrangement include:</p> <ol style="list-style-type: none"> <li>1. Written contract specifying nature of services and basis for payment;</li> <li>2. Legitimate need for consultation is clearly identified in advance of request for services;</li> <li>3. Selection of consultants is based on criteria that relate to relevant expertise;</li> <li>4. Number of retained consultants is not greater than needed to support the identified need;</li> <li>5. Retaining company maintains records and makes appropriate use of consultants; and</li> <li>6. Venue and circumstances of any meeting are conducive to the desired services.</li> </ol>	<p>Companies may engage HCPs to provide consulting and other services to fulfill legitimate business, and may pay HCPs reasonable remuneration for those services, including Presentations at Company Events. Where relevant, a bona fide consulting arrangement must fulfill these criteria:</p> <ol style="list-style-type: none"> <li>1. Legitimate Business Need exists prior to consultant selection;</li> <li>2. Number of consultants retained is proportional to legitimate need;</li> <li>3. Selection based on legitimate qualifications;</li> <li>4. Documented in writing, including the purpose, services, reimbursement, and remuneration under the agreement;</li> <li>5. Account for potential conflicts of interest;</li> <li>6. Not induce the use or recommendation of company products;</li> <li>7. Entail reasonable compensation; and</li> <li>8. Comply with rules for venue, hospitality, and travel.</li> </ol>	<p>Companies may engage HCPs as consultants and advisors to provide bona fide consulting and other services including for presentations. A consulting arrangement must be:</p> <ol style="list-style-type: none"> <li>1. Permitted under the laws and regulations where the HCP is licensed to practice;</li> <li>2. Consistent with applicable professional codes of conduct;</li> <li>3. Initiated after an independent decision-making/review process to mitigate potential bribery and corruption risks;</li> <li>4. Address a legitimate pre-identified business need;</li> <li>5. Number of consultants retained is proportional to legitimate need;</li> <li>6. Selection based on objective criteria and qualifications, not volume/value of business;</li> <li>7. Documented in an agreement signed by the parties, including the nature of services, payment, and reimbursement of reasonable expenses;</li> <li>8. Not used as an inducement; and</li> <li>9. Compensated at a reasonable fair market value;</li> <li>10. Entail appropriate arrangements for food, lodging, and travel.</li> </ol>