

8th April 2020

TO: ALL MECOMED MEMBERS

Mecomed Compliance Committee Guidance on Covid-19 situation

With the unprecedented crisis due to the COVID-19 virus outbreak, Member Companies need more than ever to support Healthcare Professionals (HCPs), Healthcare Organisations (HCO), healthcare systems and governments.

In line with the MedTech Europe Code Committee Guidance dated on March 27, 2020, Mecomed Compliance Committee has prepared the below guidance to ensure a swift and appropriate support from the Mecomed Members. This Guidance document is not intended to supersede any national laws or regulations or professional codes, including company codes and companies' internal policies. This Guidance is applicable to all Member Companies and their intermediaries.

For the duration of the current crisis and until such situation is "resolved", the below guidelines are applicable:

Donations

Donations shall not be limited to Charitable Organizations only.

Therefore and provided that the local laws and regulations allow such support, Member Companies may provide Donations in the form of provision of cash, equipment, company product or relevant third party product to **Healthcare organizations including hospitals and healthcare system for the purpose of managing the Covid-19 virus outbreak.**

Under no circumstances, this guidance shall be considered as waiver of any of Mecomed principles as set forth in the Mecomed Code of Business Practices.

Therefore, such Donations must remain in line with the below principles:

- Principle of image and perception:
The Donation must not be misused or be perceived to influence through undue or improper advantages, purchasing decisions, nor should such donation be contingent upon sales transactions or use or recommendation of Member Companies' products.
- Principle of separation:
The decision to provide a Donation must be based on an independent decision-making/review process to identify, prevent and mitigate against potential bribery and corruption risks
- Principle of documentation:
 - Member Companies must ensure a proper due diligence on the healthcare organization receiving the Donation
 - Member Companies must ensure a clear link between the support and the management of the Covid-19 virus outbreak.
The Donation must support an immediate need related to the Covid-19 crisis and must be considered as an appropriate support (volume, value and duration).
The link with Covid-19 must be clear enough to justify the support from the Member Companies without the need to request for further documentation to confirm the use of the Donation for the intended purpose.
 - Member Companies must ensure proper written documentation to prove the link with Covid-19 crisis management and describe the conditions of the Donation.

Staff related support

Due to a shortage of medical and paramedical staff, and provided that the local laws and regulations allow such support, Member Companies can be asked and/or proposed to HCOs to provide free of charge support through their own staff to support the management of the Covid-19 outbreak.

It is recommended to limit such support to volunteers only and it must be managed by the HR department in line with the Legal and Compliance functions.

All staff should be properly qualified for the requested services.

Payment waivers

Provided local laws and regulations allow for it, when an HCO can demonstrate a critical financial situation, Member Companies may exceptionally decide to consider payment waivers.

To this end, the relevant contracts should whenever possible be amended accordingly beforehand and each request must be thoroughly documented, with special emphasis in the underlying reasons.

In these situations, payment waivers should be considered as a last resort, and should only be granted exceptionally.

Employer notification and attendance to Company Organized virtual conferences

Unless required by applicable laws, the attendance of HCPs to any company organized virtual conference does not require an employer notification.

All other aspects of the Code that may apply to these types of Events still apply.

On Behalf of Mecomed Compliance Committee:



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