

DePuy Synthes Charitable Giving Program Reference Guide

Charitable Giving Program Focus

We support qualified, U.S. non-profit organizations that provide access to care for patients in need around the world by providing product for surgeries and monetary funding. In addition, we help sustain our local communities by supporting efforts that provide access to community education and assist in preventing issues such as hunger and poverty.

Charitable donations are provided to support charitable efforts. These donations may be in the form of cash or product and are philanthropic in nature to support a program, project or activity within DePuy Synthes' charitable areas of focus.

Please note that our policies and guidelines are subject to change. The most current guidelines can be reviewed at www.jnjmedicaldevices.com/en-US/support/charitable-contributions/depuv-synthes.

Who Is Eligible to Apply?

U.S. tax-exempt charitable organizations are eligible to apply for charitable donation support.

Donations cannot be provided to a private foundation:

- Founded by one or more physicians, and
- With a majority of the Board of Directors who are partners, shareholders, or employees of the affiliated physician practice(s), or
- That provides a majority of funding for activities conducted or controlled by physicians with the affiliate physician practice
- To fund the foundation's future contributions to other charitable organizations

Examples of Donations That Can Be Considered

Examples of requests from non-profit organizations that can be considered are those with a mission aligned with the DePuy Synthes Charitable Giving Program focus such as:

- Support that provides access to care – free of charge – to patients in the U.S. and overseas in countries in need, who are uninsured and otherwise unable to obtain healthcare
- Support for activities that benefit orthopaedic and neuro-related activities
- Support for basic community needs such as food, shelter or non-health care provider-related education local to the DePuy Synthes community

How to Apply for a Charitable Donation

Please complete the on-line application at www.jnjmedicaldevices.com/en-US/support/charitable-contributions/depuv-synthes.

Documentation Required to Request a Charitable Donation

The submission must include the following:

- On-line Contributions Application
- W-9 form (signed and dated within the last year) (may submit IRS Tax Form 990)
- List of Board Members for monetary contributions (required if Johnson and Johnson employee is on the Board)
- Statement of non-discrimination
- Brochure or pamphlet for event/campaign (for monetary only requests)
- Annual Operating Budget
- Product Request List (excel format preferred; can be provided by the requestor, local distributor's office or sales consultant)

The above documents must be in one of the following formats: MS Word (.doc), Excel (.xls or .xlsx), and PDF (.pdf). The system will not recognize Zip (.zip) and Tiff (.tif) files.

Other Types of Support

Medical Mission Packs

Johnson & Johnson has partnered with MAP International to provide opportunities for individuals supporting mission work or disaster relief to obtain basic medical supplies at a reduced rate. The program offers packs which are designed to be taken out of the U.S. by those involved in a mission trip to conduct local health work.

To access/order or view the contents of these kits, please go to www.map.org/johnsonandjohnson.

Lead Time to Submit a Charitable Donation Request

Applications must be sent at least 45 days (90 days for requests related to trips outside the U.S.) in advance of the event date. DePuy Synthes will only consider requests for future events.

Overall Considerations

All requests for qualified organizations are evaluated by a cross-functional Committee for compliance with charitable donation criteria, and alignment with the DePuy Synthes Charitable Giving Program focus. Due to limited resources, every qualified request is considered but cannot always be supported.

- Charitable donations are not contingent upon the use, purchase, or recommendation of DePuy Synthes products
- Donations will be used for a purpose that is related to the DePuy Synthes Charitable Giving Program focus and have a legal and ethical intended purpose
- Recipient is qualified to use the donation for the intended purpose
- Donation is for a single year commitment
- DePuy Synthes support does not comprise a substantial portion of the organization's operating budget

Donation will not result in any private benefit to a health care provider. **Funding cannot be used for:**

- Endowments of any kind
- Building campaigns ("brick and mortar")
- Capital expenses
- Award, alumni or other recognition
- Funds that comprise a substantial portion of the organization's total operating budget
- Chair, professorship or memorial fund

Charitable Donation Agreement and OBRA Form

All approved donations are committed through a charitable donation agreement. This agreement along with the Omnibus Budget Reconciliation Act of 1993 (OBRA) Form must be signed by the requesting organization and returned to DePuy Synthes before a payment or product can be shipped, prior to the start date of the activity.

Open Payments

Certain value transfers provided by our company to U.S. physicians or U.S. teaching hospitals – whether provided directly or indirectly – must be disclosed in accordance with the Physician Payments Transparency Requirements of the Patient Protection and Affordable Care Act of 2010 (codified at 42 U.S.C. 1320a-7h) (otherwise known as Open Payments or Sunshine Law).

Why is the Open Payments data not listed under DePuy Synthes business units?

DePuy Synthes opted to consolidate their Open Payments data under a single entity, DePuy Synthes Sales, Inc. Thus, all 2013 and later transactions for these business units will be associated to this consolidated single entry.

If the donation provided is deemed reportable under Open Payments, we will request additional information from you.

For more information on Open Payments, please go to <https://mddtransparency.com/depuysynthes>.

Common Questions

How long will it take to receive a decision? Decision timing is based on the event date of the request and internal reviews. You will be notified of the decision as soon as possible.

What is an OBRA form and why do I need to sign one? Part of the Omnibus Budget Reconciliation Act of 1993 outlines that donations made on or after January 1, 1994 for any charitable donation (cash or product) of \$250 or more cannot be deducted without a written acknowledgement from the donee organization. The acknowledgement must contain the amount of the cash or noncash donation, a statement of whether the donee organization provided any goods or services to the donor in consideration for the donation, and if any goods or services were provided, a description and good faith estimate of the fair market value of the good or services.

Am I required to return unused funds or product? Yes. In accordance with the executed charitable donation agreement, the provider must return any unused product or funds to DePuy Synthes following the completion of the activity, if applicable. All unused loaner product must always be returned, unless its retention was originally agreed upon and memorialized in the charitable donation agreement.

Contact Information

DePuy Synthes Professional Relations and Operations

DePuySynthesContributions@its.jnj.com