



Inter-American  
**Coalition for  
Business Ethics**

MEDICAL TECHNOLOGY SECTOR

**THURSDAY, 3 DECEMBER 2020: 4:00-6:00 PM (BRT) / 2:00-4:00 PM (EST) / 1:00-3:00 PM (Mexico City)**

TIME (EST)	AGENDA
1:55-2:00 PM	<b>Webinar Systems Check and Welcome Exchanges</b> <i>Note: Coalition members are encouraged to join early to test their virtual connection as well as to offer greetings to fellow Coalition members before we start.</i>
2:00-2:05 PM	<b>Brief Introductions by Principal Members and Observers</b>
2:05-2:15 PM	<b>Looking Ahead: Implications of COVID-19 and Coalition 2021 Objectives</b> Sergio Pinto, Chair, AdvaMed Latin America Compliance Working Group
2:15-2:25 PM	<b>Overview of Seventh Meeting Outcomes and Eighth Meeting Agenda</b> Andrew Blasi, Technical Secretariat
2:25-2:35 PM	<b>Outcomes of 2020 APEC Business Ethics Forum and Coalition Synergies</b> Facilitated by: Nancy Travis, AdvaMed
2:35-2:45 PM	<b>Update on AdvaMed Distributor Working Group and Virtual Toolkit / Modules</b> Facilitated by: Ethan Gumpert, AdvaMed



Inter-American  
**Coalition for  
Business Ethics**

MEDICAL TECHNOLOGY SECTOR

# Global Distributor Compliance Toolkit Update



**Ethan Gumpert**

AdvaMed



Inter-American  
Coalition for  
Business Ethics

MEDICAL TECHNOLOGY SECTOR

Global Distributor Compliance Toolkit will  
launch this month!



# **GLOBAL DISTRIBUTOR COMPLIANCE TOOLKIT**



# Inter-American Coalition for Business Ethics

MEDICAL TECHNOLOGY SECTOR

## 50+ Assets | Professional Graphic Design | Highly Customizable | Neutrally Branded | Delivered in PPT, Word & PDF



GLOBAL  
DISTRIBUTOR  
COMPLIANCE  
TOOLKIT

### Doing Business with Integrity

Our industry is highly regulated, so it is important to know and observe the law in every country where you do business. Compliance means not only following the letter of the law, regulations, policies and rules, but also their spirit.

Developing an effective compliance program is critical to maintaining the highest ethical standards in the execution of business duties while complying with all applicable laws, rules and regulations.

This training is designed to help you develop an effective compliance program that addresses anti-bribery and anti-corruption issues. Anti-corruption laws do not differentiate between acts done by a Company or acts done by a third party acting on the Company's behalf.

[insert company / event]



GLOBAL  
DISTRIBUTOR  
COMPLIANCE  
TOOLKIT

### IDENTIFYING CONFLICTS OF INTEREST

A Conflict of Interest is a conflict between the private interests and the official or business responsibilities of an individual. This conflict means that an individual's business decision may be compromised by the hope of personal gain.



#### Examples of Conflicts of Interest we must avoid

- Obtaining an improper advantage by providing an impermissible benefit to an HCP
- Misuse of your position, Company resources or Company information for personal gain
- Contracting with a supplier that is owned by a relative of an employee involved in the decision-making process

### CONSIDER THE FOLLOWING SCENARIOS:

- Scenario 1:** Your spouse works as a Healthcare Provider (HCP) at a hospital where they have authority over some purchasing decisions. Your company is attempting to sell products to his hospital.

**Can you sell to his hospital?**

This is a potential conflict of interest between your interests and those of your Company and Business Partners. You must disclose all possible conflicts of interest in advance.
- Scenario 2:** You are considering hiring a new sales representative. While still undecided, you get a call from a well-known health care professional who is also an important customer. He tells you that his son has just graduated from medical school and would be a great asset to your company. You agree to interview him and find him not to be an ideal candidate for the role.

**Should you hire him?**

No, it is not clear that there is a legitimate need or business justification for the potential new sales position. The HCP's son is not an ideal candidate for the position. Hiring the HCP's son, even if he were an ideal candidate, would create a conflict of interest because of his connection to an HCP customer.

#### REMEMBER:

Candidates for any position must disclose any actual or potential conflict of interest to Management, Compliance, Human Resources, and/or Legal.

If you are not certain if a conflict of interest exists, you can always consult your employer's Legal, Compliance, and/or HR department for assistance.

### Key Areas of Global Compliance



Recognizing  
Government  
Officials



Identifying  
Conflicts of  
Interest



Preventing  
Bribery &  
Corruption



Keeping Good  
Books & Records



Interacting With  
Health Care  
Professionals &  
Government  
Officials



Reporting a  
Concern



[insert company / event]

### SELF CERTIFICATION FORM

TITLE:	Self-Certification of Compliance with applicable Anti-Bribery and Anti-Corruption Laws, Regulations, Industry Codes, and Company Code of Conduct
PURPOSE:	Use this document to ask your employees, sub-distributors and other business partners to self-certify compliance with applicable Anti-Bribery and Anti-Corruption Laws, Regulations, Industry Codes, and Company Code of Conduct
Please read each of the statements below and then initial each for the certification purposes. When you sign and date the certification.	
Initials:	<input type="text"/>
<input type="checkbox"/> I certify that [I/TP] have received, understand, and will abide by the Code of Conduct and Business Principles provided to me.	
<input type="checkbox"/> I certify that [I/TP] will comply with all [insert company name] Compliance procedures applicable to me of [insert company name] that have been provided to me.	
<input type="checkbox"/> Furthermore, [I/TP] have not and will not, directly or indirectly, pay, offer, or authorize the giving of any money or anything of value to any Government Official, employee or official of a commercial or nonprofit entity in which a government body ownership interest or the ability to control ("instrumentality"), or any official, parts and procedures.	
<input type="checkbox"/> I, for the purpose of influencing any act or decision of such Official in his, her or capacity or inducing such Official to do or omit to do any act in violation of duty of such Official or	
<input type="checkbox"/> ii. for the purpose of inducing such Official to use his, her or its influence with Government or any organization; to affect or influence any act or decision of Government organization; in order to assist Company in obtaining, retaining or directing business or securing any improper business advantage.	
<input type="checkbox"/> I understand [my/TP] responsibility to promptly report any actual or suspected of the law, regulations, or [insert company name] policies and procedures through appropriate channels, as local laws allow.	
<input type="checkbox"/> I certify that [I/TP] have reported any actual or suspected violations of the regulations, or [insert company name] policies and procedures through the appropriate channels, as local laws allow.	
First, Last Name and Title (printed):	<input type="text"/>
Signature:	<input type="text"/>
Date and location:	<input type="text"/>

### Keeping Good Books & Records

Companies are required to maintain accurate financial records.

#### You must:

- Accurately and fully describe transactions in your records
- Keep accurate and transparent records of all expenses
- Itemize products and promotional activities in your records

#### You must not:

- Create false records or documentation
- Create false accounts
- Hide payments or gifts in the cost of product or discounts offered
- Provide false documentation or other false information
- Create intentionally vague descriptions to hide improper payments or expenses
- Mischaracterize payments



GLOBAL  
DISTRIBUTOR  
COMPLIANCE  
TOOLKIT

[insert company / event]



GLOBAL  
DISTRIBUTOR  
COMPLIANCE  
TOOLKIT

### CODE OF CONDUCT

#### Introduction

[insert company name] is committed to maintaining the highest ethical standards in the execution of our business duties while complying with all applicable laws and regulations. This document is not intended to be a substitute for more detailed policies that relate to standards of conduct, if applicable.

[insert company name] reputation is important. [insert company name] employees shall not engage in any misconduct that could jeopardize the Company's reputation, its client, or third-party relationships, as well as avoid situations that have any appearance of impropriety. No bribes should be offered, requested, paid or accepted. (This paragraph should be customized to your Company's vision, mission and values)

Company resources should only be used for legitimate business purposes in the best interest of [insert company name]. Incidents, risks and issues contrary to this document should be reported to [insert relevant person(s)/department(s)].

The Code of Conduct will apply to all officers, directors, employees (including new employees at time of hiring) and all relevant business partners, such as sub-distributors and agents.

#### Basic Principles

##### 1. COMPLIANCE WITH LAWS

[insert company name] will conduct its business and affairs in compliance with all applicable laws, rules and regulations and in accordance with [insert company name] Code of Conduct and its underlying policies and procedures.

##### 2. CONFLICT OF INTEREST

A conflict of interest occurs when a person's private interest interferes or appears to interfere in any way with [insert company name] interests and may also arise when the Company, employee, director, or a member of his or her family receives improper benefits because of his or her position within [insert company name]. These situations include, but are not limited to, relationships with government officials, health care professionals, health care organizations, physician owned companies, or any other situation where it may appear that company decisions can be influenced by personal interests or relationships. You should avoid a conflict, or an appearance of a conflict, between your personal interests, your official responsibilities and your Company's interests. Any potential conflict of interest should be declared.

##### 3. FAIR DEALING

All employees will deal with [insert company name]'s customers, suppliers, competitors and independent auditors in a fair and transparent way and will not take unfair advantage of anyone through manipulation, concealment, abuse of privileged information or misrepresentation of facts. Even the perception of unlawful conduct should be avoided, including inappropriately disclosing pricing, costs, production, products and services, bidding practices, other nonpublic business matters, and sales territories.

Tenders require a transparent, fair and equal bidding process. [insert company name] must not collaborate with a tendering authority in the creation or interpretation of tender materials or documentation in a way which could compromise the fairness of the process.

##### 4. PROMOTIONAL ACTIVITIES, MARKETING AND SALES

[insert company name] will represent its products and services accurately and will comply with applicable regulatory and legal requirements including applicable industry codes including [insert industry codes-regional and local] governing the marketing and sale of products and services.



Inter-American  
**Coalition for  
Business Ethics**

MEDICAL TECHNOLOGY SECTOR

# Sign-on to receive & pledge to utilize the Global Distributor Compliance Toolkit

<https://www.surveymonkey.com/r/GDCTPledge>







<b>2:45-3:05 PM</b>	<p><b>Discussion Session One: 1<sup>st</sup> Latin America Health Ethics Forum (Spring 2021)</b></p> <p>Introductory comments by: Carlos Gouvea, Executive President, CBDL &amp; Executive Director, Instituto Ética Saúde</p> <p><i>Key Questions:</i></p> <ol style="list-style-type: none"><li><i>1. Do members believe we should proceed with the 1<sup>st</sup> Latin America Health Ethics Forum to be convened virtually and in parallel with the 9<sup>th</sup> Coalition meeting?</i></li><li><i>2. What are your top priorities from the Coalition Action Plan to advance before and during the 1<sup>st</sup> Latin America Health Ethics Forum?</i></li></ol>
---------------------	---



3:05-3:25 PM

## Discussion Session Two: Summit of the Americas (Fall 2021)

Introductory comments by:

Lynn Costa, Senior Advisor, Office of the Western Hemisphere  
International Trade Administration, U.S. Department of Commerce

*Key Questions:*

1. *What are your top priorities from the Coalition Action Plan to advance before and during the Summit of the Americas?*
2. *How can the Coalition partner with you to advance our objectives in preparation for the Summit, including engagement with relevant local stakeholders?*



Inter-American  
**Coalition for  
Business Ethics**

MEDICAL TECHNOLOGY SECTOR

3:25-3:35 PM	Coalition Member Brief Updates / Announcements
3:35-3:40 PM	Summarize Meeting Outcomes and Next Steps Andrew Blasi, Technical Secretariat
3:40-4:00 PM	Concluding Remarks from Coalition Executive Committee Members: <ul style="list-style-type: none"><li>• Bruno Boldrin, ABRAIDI (Brazil) – <i>5 Minutes</i></li><li>• Marisol Sanchez, ANDI-CDMIS (Colombia) – <i>5 Minutes</i></li><li>• Claudia Freyre and Ana Riquelme, AMID (Mexico) – <i>5 Minutes</i></li><li>• Nancy Travis, AdvaMed (USA) – <i>5 Minutes</i></li></ul>