

ConnectedHealthInitiative

Antitrust Dos and Don'ts Checklist

It is the Connected Health Initiative's (CHI's) policy to comply fully with antitrust laws. To ensure compliance, it is important that CHI's employees and the representatives of CHI's steering committee members be familiar with these laws and follow this checklist of antitrust dos and don'ts when participating in CHI-sponsored activities. Please note that this list is not exhaustive, and it is not a substitute for the advice of legal counsel.

DON'T discuss or exchange information regarding:

- Individual company prices, price differentials, mark-ups, discounts, allowances, credit terms, etc.;
- Individual company figures on costs, capacity, sales, etc.;
- Individual pricing policies, price levels, price changes, price differentials, etc.;
- Plans of individual companies concerning the pricing and marketing of new services or equipment;
- Any matter that might have the effect of excluding users, vendors, agents, distributors, or resellers from any healthcare market or service.

DON'T discuss or exchange any information regarding the above matters during social gatherings that are incidental to CHI-sponsored meetings or anywhere competitors are present.

DO conduct and take part in CHI meetings by:

- Informing all CHI steering committee members who are entitled to attend the meeting of the topics to be discussed well in advance of the meeting;
- Limiting meeting discussions to those topics; and
- Consulting with CHI counsel on all antitrust questions relating to CHI-sponsored meetings, whether or not a company counsel is consulted.

DO protest any discussions or meeting activities that might appear to be inconsistent with this Antitrust Checklist, clearly disassociate yourself from any such discussions or activities, and leave any meeting in which such discussions continue.

Questions? Contact Graham Dufault at gdufault@actonline.org or Brian Scarpelli at bscarpelli@actonline.org