



# CODE OF CONDUCT FOR INTERACTIONS WITH PATIENTS AND HEALTHCARE PROFESSIONALS

Effective January 1, 2020

MMB HEALTHCARE

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All capitalized terms are defined in our **Compliance Glossary**.

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## OVERVIEW

MMB Healthcare is committed to engaging with customers in compliance with applicable federal, state, and local laws. We ensure our Personnel are well-trained on our products and the related disease states as well as the requirements for their compliant behavior.

We value the standards set forth by the Pharmaceutical Research and Manufacturers of America (PhRMA) and International Federation of Pharmaceutical Manufacturers (IFPMA), which are designed to ensure the pharmaceutical industry is aligned to the best interests of patients.

This Code of Conduct applies to all Personnel of the MMB Healthcare companies and its affiliates regardless of which entity employs or otherwise retains them, including West Therapeutic Development, BTcP Pharma, and Evergreen Pharma Services.

We take our compliance obligations seriously. The Code establishes a baseline for interacting with our customers. Our Personnel may take a more conservative approach when conducting business should a particular circumstance call for that approach. Violations of this Code may result in disciplinary measures, including termination of employment.

All relationships between our Personnel and our customers are governed by this Code of Conduct in addition to any other applicable guidance, including, for example, our Compliance Policy Manual, standard operating procedures, and work instructions. In the event of a conflict among these, the most prohibitive provision applies.

## INTERACTIONS WITH PATIENTS

MMB Healthcare is committed to improving patients' lives. Our goal is to ensure appropriate care for vulnerable patient populations while upholding the highest ethical standards.

Service to Patients with unmet medical needs is at the core of our purpose. We are committed to the highest standard of integrity and compliance when engaging with Patients and Patient Organizations.

All Company interactions with Patients must be respectful and executed in a manner consistent with applicable laws, regulations, industry codes, and the Company's values.

## PATIENT ASSISTANCE

Access to prescribed medications is critical. MMB Healthcare and its affiliates may offer financial assistance and other resources to eligible patients to assist them in accessing our products. This assistance is generally limited only to new patients who have valid prescriptions for On-Label uses of our Approved Products.

A limited exception to the On-Label requirement exists for Subsys® and Lazanda® patients who started receiving support prior to October 2019. Regardless of indication, this group of legacy patients may continue to receive support regardless of

indication, consistent with FDA's 2019 Drug Safety Announcement identifying harm reported from sudden discontinuation of opioid pain medicines.

## PATIENT PRIVACY

The privacy of patients is essential. MMB Healthcare and its affiliates treat personally identifiable information with care and respect. Regardless of how we collect it, we use personally identifiable information only for legitimate business purposes and always consistent with any notice provided and consent obtained.

## SALES INTERACTIONS

Commercial Field Personnel may have no direct contact with Patients. Though incidental contact with Patients while in an HCP office may be inevitable, Commercial Field Personnel should take reasonable steps to minimize Patient contact.

## INTERACTIONS WITH HEALTHCARE PROFESSIONALS

Our interactions with HCPs are intended ultimately to benefit patients through communication of product information for HCPs. It is critical that MMB Healthcare and its affiliates collaborate with HCPs to ensure our products are prescribed appropriately to those who need them. Accordingly, we take care to ensure our disease state and product information is accurate, well-substantiated, balanced, comprehensive, and up-to-date.

We are fair and open in our dealings with HCPs. We do not offer or give gifts or other items or services of value as a means to influence HCP prescribing decisions.

## CUSTOMER MEETINGS

Our advertising and promotion efforts are designed to convey useful product information to HCPs. We only promote our products for FDA-approved uses and compensate our Commercial Field Personnel for the same. Our product claims are grounded in scientific evidence, accepted medical practice, and approved labeling.

Commercial Field Personnel may meet with HCPs to discuss an Approved Product and/or a disease-state for which MMB Healthcare or its affiliates has an Approved Product. All information provided by our Personnel must be presented

accurately in a fair and balanced manner using only Approved Materials. Additionally, our Personnel must not engage in intimate personal relationships with HCPs who prescribe our products.

## MEALS

Commercial Field Personnel may occasionally provide a modest meal on-site at an HCP office or hospital. Sales Representatives and their immediate managers may not attend an off-site meal with an HCP regardless of who pays for the meal.

Meals must be in an area that is conducive to the exchange of information and subject to the policies of the respective office or institution. Meals must always be subordinate in time and focus to a meeting's informational purpose and limited to HCPs and their staff who support patient care. All Personnel must promptly record the details necessary for transparency reporting purposes.

## ENTERTAINMENT

No Personnel may invite HCPs to entertainment events, sporting events, cultural events, or any entertainment activity that requires a purchase or financial contribution of any kind.

## GIFTS

No Personnel may directly or indirectly provide items of any kind for the personal benefit of an HCP. Even gifts of *di minimus* value are prohibited.

## EDUCATIONAL ITEMS

Field Personnel may occasionally provide approved educational items of insubstantial value to HCPs so long as those items are provided by Commercial Operations.

## CHARITABLE CONTRIBUTIONS

MMB Healthcare and its affiliates may make Charitable Contributions to organizations for a legitimate educational, health-related or general public good purposes based on objective criteria. All such grants and donations must be independently reviewed by the Medical, Finance, and Compliance Departments prior to committing the Company's support.

Commercial Field Personnel may have no involvement in the submission of or decisions regarding the Company's provision of Educational Grants or Charitable Donations. Prior written approval of the Compliance Department is required if Field Personnel wish to participate personally in fundraising events or provide monetary donations for charitable initiatives associated

with a condition or disease-state for which the Company has an Approved Product.

## THIRD-PARTY CONFERENCES

MMB Healthcare and its affiliates may provide funding to *bona fide* independent, educational conferences promoting scientific knowledge. Subject to approval by the Compliance Department, funding for widely-available Sponsorship opportunities is permissible so long as payment is made directly to the conference sponsor. If funding is for the purpose of sponsoring modest meals or receptions, such events must benefit all conference attendees and be subordinate in time and focus to the purpose of the conference. Company Personnel may also purchase advertisements and/or booth space for displays at such conferences.

## CONSULTING

MMB Healthcare and its affiliates may periodically engage a limited number of HCPs for *bona fide* consulting services on an individual or group basis. All consulting arrangements must support a legitimate business purpose and select consultants based on their professional qualifications and expertise alone. To the extent any HCP selected is a member of a formulary or

practice guideline committee, we require disclosure of the nature of his or her relationship to that company.

All consultants must be engaged in advance of the services provided pursuant to a Legal-approved consulting services template. All HCP consulting services agreements must require compensation to be paid at fair market value for services actually provided and limit travel expenses to those reasonably incurred in direct relation to the provision of services as evidenced by appropriate documentation.

Meetings with consultants must be held in an appropriate setting conducive to the effective exchange of information. Commercial Field Personnel may not attend such meetings with HCP consultants. Materials shared with consultants in relation to consulting must be approved in advance by the Legal Department. A summary of the feedback obtained and its impact on business decisions must be promptly documented following the conclusion of the consulting arrangement.

#### SPEAKER PROGRAMS

MMB Healthcare or its affiliates may periodically conduct educational speaker programs concerning an Approved Product or about a condition or disease-state in which it has an Approved Product, subject to certain restrictions for TIRF products. The Company may not maintain, directly or indirectly, a speaker

program or bureau for any TIRF product. Nor will the Company undertake a similar program through which a speaker fee or honoraria will be provided to prescribers to present to other prescribers in an office or meal setting.

#### PRESCRIBER DATA

The Company is committed to using Prescriber Data responsibly for appropriate purposes. We respect a prescriber's choice in whether and/or how his or her Prescriber Data is used and diligently abide by such requests.

#### DIRECT-TO-PRESCRIBER SALES

MMB Healthcare and its affiliates prefer to make our products available through distributors such as wholesalers and pharmacies. We generally discourage product sales directly to prescribers. Accordingly, the Company prohibits the sale of a TIRF product to any prescriber who it expects to make a prescribing decision and "resell" the product.

#### DISCOUNTS

Any discount arrangement or rebate offer made to HCPs must be in writing, clearly state the price paid by the HCP, obligate the HCP to report the discount to any federal health care program, and be approved by the Finance and Legal Departments in advance.

## CLAIMS PROCESSING INFORMATION

Commercial Field Personnel may provide HCPs with product-specific coding, coverage, and reimbursement information regarding Approved Products utilizing Approved Materials, including, for example, patient support services like co-pay assistance. Our Personnel may never suggest or otherwise guide an HCP to utilize a procedure-specific code to influence HCP reimbursement for services provided by the HCP.

***Limited exceptions to this Code of Conduct may be considered occasionally by the Compliance Department on a case-by-case basis subject to the approval of the senior management.***

***For questions regarding this Code of Conduct, contact the Compliance Department at [compliance@westtd.com](mailto:compliance@westtd.com).***

COMPANY CONFIDENTIAL

## ABOUT MMB HEALTHCARE

*MMB Healthcare is a network of independent affiliated pharmaceutical companies that are focused on improving patient health and addressing unmet medical needs primarily by acquiring, developing, manufacturing, and commercializing specialty pharmaceutical products in niche orphan disease and specialty market segments.*

*While each company is independent, all share common beneficial ownership. Each company is dedicated to develop, distribute and commercialize pharmaceutical products collaboratively in an ethical and compliant manner to benefit patients and the providers that care for their health.*

*The MMB Healthcare network includes, but is not limited to, West Therapeutic Development, LLC, BTcP Pharma, LLC, Evergreen Pharma Services, LLC in the United States, as well as Eolas Pharma Teoranta in Ireland.*

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