

Corporate Policy 13

Attendance at Surgery or Other Medical Procedures

Purpose

Stryker representatives (as defined below) are often present during surgery and other medical procedures. The purpose of this Attendance at Surgery or Other Medical Procedures Policy is to provide direction and guidance for any employee, director, sales agent, distributor, dealer, third party contractor, and representative (each a “Stryker representative”) of Stryker and its domestic and foreign subsidiaries and divisions who is present during surgery or other medical procedure (“surgery”). The fundamental guiding principle is that a Stryker representative must never do anything that would compromise a patient’s safety or interfere with the physician patient relationship.

Scope

This Policy applies to all Stryker representatives of Stryker and its domestic and foreign subsidiaries to the extent permitted by applicable law. If any provision of this Policy does not comply with law applicable to a particular business unit, that business unit will revise this Policy to comply with applicable law and/or implement a separate policy to comply with such law, provided that the revised policy will, to the greatest extent possible, conform with this Policy. All provisions of this Policy that comply with applicable law shall remain in effect.

A Stryker representative may be present during surgery for the purpose of observing the surgery and/or providing information to health care professionals (“HCPs”) regarding the safe and effective use of company products and equipment (“products”).

Basic policies

1. A Stryker representative shall at a minimum and prior to and, where required, during surgery:

- 1.1. Obtain the required consent(s) of the medical facility administration
- 1.2. Comply with all relevant medical facility policies and procedures including those policies and procedures related to facility access, security, safety, immunizations, and patient privacy
- 1.3. Complete (and regularly renew) successfully a Stryker-sponsored training program related to attendance at surgery or equivalent thereof

2. A Stryker representative shall not enter the sterile field and shall not:

- 2.1. Allow any person (e.g., visiting HCP, employment candidate) who has not met the requirements of section 1 above to be present at surgery
- 2.2. Touch or make physical contact with the patient while the sterile field is intact
- 2.3. Provide surgical or medical advice, direct a HCP, “practice medicine” or do anything that may be construed as practicing medicine, nursing or any other activity for which licensure or certification is required
- 2.4. Provide advice, information, or consent related to Stryker products for a purpose outside the scope of any Stryker product’s approved indication for use
- 2.5. Direct, handle or provide advice for any product or equipment including products manufactured by other companies and/or products manufactured by other Stryker divisions other than the product on which the Stryker representative has been trained
- 2.6. Direct, handle or calibrate any product while the product is in contact with the patient unless expressly directed by a supervising HCP. If directed by a HCP, the Stryker representative must repeat the instruction and receive confirmation prior to executing any such instruction

- 2.7. Open product packaging for use during surgery or transfer product into the surgical field unless directed by a HCP. If directed by a HCP, the Stryker representative must repeat the instruction and receive confirmation prior to executing any such instruction

3. A Stryker representative is not obligated to, but may:

- 3.1. After the HCP breaks the sterile field, touch a patient but only if the Stryker representative:
- has been requested by a HCP to assist in transferring the patient
 - has had training in transferring patients
 - repeats the instruction and receives confirmation prior to executing any such instruction
- 3.2. In rare and emergency circumstances where the patient's life is threatened provide life-saving assistance as directed by a HCP (e.g., assisting in the delivery of cardiopulmonary resuscitation).

4. Stryker business unit obligations

- 4.1. The Stryker business unit shall:
- maintain and provide training programs for Stryker representatives who may be present during surgery
 - ensure that all Stryker representatives are aware of all applicable governmental laws and regulations, medical facility policies and procedures, and Stryker policies, including this one
 - certify completion (and regular re-certification) of the training program by the Stryker representative
 - retain a copy of the certification in the employee's file
 - provide a copy of the certification to any Stryker representative who is not an employee of Stryker

5. Exceptions

- 5.1. Any exceptions to this Policy must be approved by both the legal counsel and the compliance officer responsible for that division.
- 5.2. In countries outside the United States where a Stryker representative is permitted by law or applicable code of conduct to act as a HCP, the Stryker representative may attend or perform surgery that they have been trained in, provided that the Stryker representative:
- has obtained prior approval by the legal counsel and the compliance officer responsible for that division
 - has the appropriate technical and professional qualifications
 - has the required current professional licenses
 - has been trained in the surgery
 - has the approval of the medical facility where the surgery occurs
 - is under the supervision of a licensed, qualified HCP

6. Compliance

- 6.1. All Stryker representatives are responsible for complying with this Policy, and the president or executive in charge of each Stryker division is responsible for ensuring that all division Stryker representatives know and comply with this Policy.
- 6.2. The company will promptly investigate any alleged violations of this Policy and any violation of the Policy, retaliation against any individual reporting a violation, or failure to otherwise comply with these policies will not be tolerated and will result in disciplinary action up to and including termination or dismissal.
- 6.3. Questions about this procedure should be directed to the Regulatory Affairs/Quality Assurance leader, compliance officer or legal counsel responsible for that division.