

Covered Functions

Promotional Functions includes: (a) the selling, detailing, marketing, advertising, promoting, or branding of Government Reimbursed Products; and (b) the preparation or external dissemination of promotional materials or information about, or the provision of promotional services relating to, Government Reimbursed Products, including those functions relating to any applicable Promotional Review Committee (PRC) process and any applicable review committees for promotional materials.

- *Examples include but are not limited to:* Contract sales organization activities, public relations activities, call center activities, sales planning, speaker training, promotional speaker programs and distributors of sample products.

Product Related Functions includes: The term “Product Related Functions” includes: (a) the preparation or external dissemination of non-promotional materials that are governed by Federal healthcare program and/or FDA requirements and distributed to HCPs and HCIs about Government Reimbursed Products, including those functions relating to any applicable medical review committee(s) and to medical affairs/medical services of any J&J Pharmaceutical Affiliate; (b) contracting with HCPs and HCIs licensed in the United States to conduct post-marketing clinical trials, post-marketing investigator-initiated studies (IISs), and all other types of post-marketing studies relating to Government Reimbursed Products; (c) authorship, publication, and disclosure of articles or study results relating to post-marketing clinical trials and other post-marketing studies for Government Reimbursed Products (including studies of investigational and other uses and indications outside the currently approved uses and conditions of use); and (d) activities related to the submission of information about Government Reimbursed Products to compendia (such as DrugDex or other compendia of information about Government Reimbursed Products).

- *Examples include but are not limited to:* Development of materials to HCPs and HCIs in response to Medical Information Requests, authorship, contracting with HCPs and HCIs licensed in the US to conduct post-marketing studies, authorships and publications related to post-marketing studies and compendia activity.

Managed Healthcare Related Functions refers to: Promotional Functions and Product Related Functions as they relate to interactions between J&J and/or J&J Pharmaceutical Affiliates and: (1) government payers, including the Federal government, state Medicaid programs, pharmacy benefits managers (PBMs), or other individuals or entities under contract with or acting on behalf of Medicaid, Medicare and other government Payers; and (2) institutional purchasers or providers, institutional pharmacies, long-term care or specialty pharmacies, or other individual or entities under contract with or acting on behalf of institutional purchasers or providers and who are in a position to influence the use of Government Reimbursed Products in the institution. Marketing, formulary, contracting, and rebate activities undertaken in connection with the sale of Government Reimbursed Products.

- *Examples include but are not limited to:* Interactions with the payers and purchasers above as it relates to marketing, formulary, contracting, and rebate activities undertaken in connection with the sale of Government Reimbursed Products.