



Fresenius Medical Care

Fresenius Medical Care NA's Declaration of Compliance October 1, 2008

FMCNA has established an effective and comprehensive compliance program in accordance with federal, state, and industry regulations and guidelines including the "Compliance Program Guidance for Pharmaceutical Manufacturers," published by the Office of Inspector General, U.S. Department of Health and Human Services. FMCNA has dedicated significant time and resources to implement a compliance program that includes a comprehensive framework of compliance controls throughout various segments of our commercial operations. Our compliance program is a representation of our commitment to the highest standards of corporate conduct.

Our Comprehensive Compliance Program's elements include, but are not limited to:

- Member of senior management appointed as Chief Compliance Officer;
- A Code of Employee Conduct that establishes compliance principles that guide FMCNA's operations;
- Policies and procedures that address specific areas of government concern;
- Dedicated compliance oversight functions;
- Training and education programs;
- Multiple compliance communication mechanisms including an anonymous reporting system;
- Targeted monitoring and auditing; and
- A protocol for responding promptly to detected problems and implementing corrective action.

FMCNA hereby declares that, to the best of its knowledge and based upon its good faith and understanding of the statutory requirements, its Comprehensive Compliance Program is in accordance with California Health and Safety Code § § 119400 – 119402, with the following exception: consistent with the AdvaMed Code of Conduct on Interactions with Healthcare Professionals, FMCNA's policies allow payment of reasonable travel, lodging, and meal expenses for individuals to tour FMCNA's manufacturing sites, and to attend centralized demonstrations of FMCNA's equipment that is not readily portable.