

Developing An Effective Global Anti-Bribery Compliance Program

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Global Anti-Bribery Compliance Program

Why Is This So Important?

- Recent rise in enforcement activity
- Substantial criminal and civil penalties for companies and individuals
- **Health care professionals outside US are often public officials**
- **Requires appropriate books and records, and adequate internal controls**

Global Anti-Bribery Compliance Program

Development and Implementation Steps

- Established Anti-Bribery/FCPA compliance working group
- Revised Corporate Policy on Anti-Bribery and related matters
- Developed and implemented live global training program to reach over 1100 employees
- Developed, approved and implemented Corporate Directive on *Compliance with the US Foreign Corrupt Practices Act*
- Developed, approved and implemented Global Finance Directives on FCPA controls
- **Developed and implemented computer-based global training program (in 27 languages) that reached over 13,000 employees**

Global Anti-Bribery Compliance Program

Underlying Anti-Bribery Principles

- Advocate for your products on their merits
- Do not “buy business”
- For example, do not pay or provide benefits to doctors or other public officials to induce them to:
 - Prescribe products
 - Place products on formulary lists
 - Take or not take regulatory action

Global Anti-Bribery Compliance Program

Revised Corporate Policy

“Anti-Bribery and Related Matters” policy gives core guidance

- Comply with FCPA
- **Follow local anti-bribery (or anti-corruption) laws and industry codes, especially if they are stricter than FCPA**
- Avoid anything that gives rise to even the appearance of a bribe
- **Applies to all employees worldwide**

Global Anti-Bribery Compliance Program

Revised Corporate Directive and Business Unit SOPs

- **Corporate Directive**
 - Provide a framework for analyzing potential FCPA issues
 - Assure compliance with the FCPA's books and records, and internal controls provisions
 - Examples of legitimate and improper transactions with foreign officials
 - Issues to be alert to when retaining third parties
- **SOPs**
 - **Revise existing Business and Finance SOPs, and require creation of new SOPs, to ensure issues involving payments to foreign officials are properly addressed**

Global Anti-Bribery Compliance Program

Proposed Training Overview

- Ensure that all employees know what their responsibilities are under the Anti-Bribery Corporate Policy and the FCPA
- Provide multiple levels of job-based customized training:
 - Required level of knowledge
 - Risk of encountering an FCPA issue

Global Anti-Bribery Compliance Program

Proposed Training Specifics

Training Level	Training Audiences	Content
Intense	<ul style="list-style-type: none"> Worldwide pharmaceutical attorneys Compliance attorneys 	<ul style="list-style-type: none"> Advanced and pharma-specific concepts Numerous issue-spotting hypotheticals Company policies and procedures
Moderate	<ul style="list-style-type: none"> Finance managers and analysts 	<ul style="list-style-type: none"> Basic and pharma-specific concepts Few issue-spotting hypotheticals (finance oriented) Company policies and procedures
	<ul style="list-style-type: none"> Balance of attorneys 	<ul style="list-style-type: none"> Basic and pharma-specific concepts Few issue-spotting hypotheticals Company policies and procedures
General	<ul style="list-style-type: none"> International business unit executives and directors Balance of Finance 	<ul style="list-style-type: none"> Basic and pharma-specific concepts Company policies and procedures
Overview	US: Business unit executives and directors, sales representatives, and human resources	<ul style="list-style-type: none"> Basic and pharma-specific concepts Overview of company policies and procedures
	International: Sales Representatives	<ul style="list-style-type: none"> Basic and pharma-specific concepts Overview of company policies and procedures