

## New York State Council of Health-system Pharmacists Antitrust Compliance Policies and Procedures

The policy of the New York State Council of Health-system Pharmacists (NYSCHP) is to be in strict compliance with all Federal and State Antitrust laws, rules and regulations. The following policies and procedures have been initiated to ensure compliance:

- I. These policies and procedures will apply to all NYSCHP members, including NYSCHP board officers and directors and committee members. These policies and procedures will also apply to any and all activities of the NYSCHP and any and all activities that members of NYSCHP attend where they represent NYSCHP.
- II. Any and all discussions of prices or pricing levels are prohibited. The following discussion are not permitted:
  - a. Cost of operation, supplies, labor or services;
  - b. Discounts;
  - c. Any conditions or terms of sale including credit arrangements;
  - d. Profit margins and mark ups, provided this restriction shall not extend to discussions of methods of operation, maintenance and similar matters in which cost or efficiency is merely incidental.
- III. It is a violation of Antitrust laws to agree to not compete, therefore discussions of divisions of territories or customers or limitations on the type of business being conducted or the type of products being sold are not permitted.
- IV. Boycotts in any form are not permitted and are unlawful. Any and all discussions about blacklisting or unfavorable reports about particular companies or individuals including their finances are prohibited.
- V. In the event that a representative of NYSCHP attends a meeting where discussion borders on an area of antitrust sensitivity, the NYSCHP representative must make a request that the discussion be stopped and that the minutes of the meeting reflect that said request was made by the NYSCHP representative. If the discussion is not concluded, then the NYSCHP representative must excuse themselves from the meeting and a request that the minutes reflect that the NYSCHP representative excused themselves and why they left the meeting. In the event this occurs, the NYSCHP representative should promptly report this occurrence to the NYSCHP President and the Executive Director.
- VI. Each NYSCHP officer, director, committee member, employee or official representative of NYSCHP will receive a copy of NYSCHP's Antitrust Compliance Policy and Procedure annually. Each member of the NYSCHP Board of Directors will annually approve and sign the anti trust policy.