

“Looking at the Future through the COVID lens”



August 4, 2020 Virtual Meeting

Antitrust Statement

The Joint Commission of Pharmacy Practitioners (JCPP) complies with all Federal and State Antitrust laws, rules and regulations. Therefore:

- 1) These policies and procedures apply to all membership, board, committee and other meetings of JCPP, and all meetings attended by representatives of JCPP.
- 2) Meetings will follow a formal, pre-approved agenda which will be provided to each attendee. Participants at meetings should adhere strictly to the agenda. Subjects not included on the agenda should generally not be considered at the meeting.
- 3) The agenda will be specific and will prohibit discussions or recommendations regarding topics that may cause antitrust problems, such as prices or price levels. In addition, no discussion is permitted of any elements of a company's operations which might influence price such as:
 - a) Cost of operations, supplies, labor or services;
 - b) Allowance for discounts;
 - c) Terms of sale including credit arrangements; and,
 - d) Profit margins and mark ups, provided this limitation shall not extend to discussions of methods of operation, maintenance, and similar matters in which cost or efficiency is merely incidental.
- 4) It is a violation of Antitrust laws to agree not to compete, therefore, discussions of division of territories or customers or limitations on the nature of business carried on or products sold are not permitted.
- 5) Boycotts in any form are unlawful. Discussion relating to boycotts is prohibited, including discussions about blacklisting or unfavorable reports about particular companies including their financial situation.
- 6) Where there is a potential for discussion of legally sensitive subjects, legal counsel may attend the meeting. Whenever discussion borders on an area of antitrust sensitivity, JCPP members and/or representatives should request that the discussion be stopped and ask that the request be made a part of the minutes of the meeting being attended. If others continue such discussion, the JCPP members and/or representatives should excuse themselves from the meeting and request that the minutes show that the representative(s) left the meeting at that point and why the representative(s) left. Any such instances should be reported immediately to the JCPP Secretary.
- 7) All meeting summaries should be kept that accurately report what actions, if any, were taken.
- 8) Unscheduled, informal, or secret meetings related to the above activities held in conjunction with the regular meetings should be avoided. These meetings jeopardize legitimate activities and create a substantial risk of investigation.
- 9) Members should check with JCPP staff and/or their own counsel if there is any doubt about the propriety of a JCPP program or subject of discussion.