

# California Annual Declaration of Compliance

## Corporate Compliance

### Our Commitment

Neuronetics is a publicly traded medical device company that focuses on designing, developing, and commercializing products that improve the quality of life for patients who suffer from psychiatric disorders. We actively collaborate with the clinical community and regulatory agencies to improve care for the many patients suffering from these disorders.

### General Overview

Neuronetics created a compliance program (“Compliance Program”) to implement its Code of Business Conduct and Ethics and Code of Conduct for Interactions with Healthcare Providers (collectively, “Code”). The Code is based on guidance published by the Office of the Inspector General of the U.S. Department of Health and Human Services (“OIG”), specifically the seven elements of an effective compliance program. Neuronetics also has policies and processes in place to address each of the seven elements and other related topics involving interactions with healthcare providers (“HCPs”).

Neuronetics refers to industry guidance set forth in the AdvaMed Code of Ethics on Interactions with U.S. Health Care Professionals, the Medical Device Manufacturers Association’s (“MDMA”) Code of Conduct on Interactions with Healthcare Providers and the Pharmaceutical Research and Manufacturers of America’s (“PhRMA”) Code on Interactions with Health Care Professionals, in support of its compliance program.

Neuronetics Compliance Program promotes honest, ethical, and lawful conduct by all Neuronetics employees in their interactions with HCPs and in the provision of healthcare items and services to HCPs. The Neuronetics Compliance Program is intended to raise the awareness of Neuronetics employees to the ethical and legal issues that may be encountered when interacting with HCPs, and to define Neuronetics processes that employees should follow to address these issues.



## Compliance Program Summary

- 1. Written Policies and Procedures:** Neuronetics has developed a Compliance and Ethics Program Manual (“Manual”), inclusive of the Code and is the primary document that governs interactions between Neuronetics and HCPs. The Manual also has related policies and procedures to provide guidance on how employees are expected to interact with HCPs.
- 2. Compliance Leadership:** Neuronetics has a Compliance Officer with direct access to the Audit Committee and the Board of Directors. The Compliance Department and Compliance Committee assist the Compliance Officer in identifying and managing risk areas for Neuronetics. Together, they are empowered to lead the company and guide employees in all activities related to our Code.
- 3. Education and Training:** Neuronetics is committed to providing ongoing training to ensure that employees are familiar with the requirements of our Code and these related policies and procedures.
- 4. Communication:** Developing effective lines of communication is essential and Neuronetics has several options for employees to report possible acts of non-compliance. Employees may seek the advice of their managers or anyone in the Compliance Department. They may also report a concern by calling Neuronetics’ anonymous reporting hotline at 484-329-8348 ext. 4208. Additional means for reporting can be found on the company intranet.
- 5. Auditing and Monitoring:** The company performs auditing and monitoring of activities – both based on an audit schedule and ad hoc, as appropriate. Auditing and monitoring efforts, through and including implementation of corrective actions, are collaborative efforts between the Compliance Department and the business. Results of auditing and monitoring efforts are shared with senior leadership to improve Neuronetics’ business practices.
- 6. Enforcement and Appropriate Disciplinary Action:** If an employee fails to comply with our Code, or associated policies and procedures, the Compliance Committee is empowered to determine the appropriate type of sanction required and works with the relevant manager for implementation.
- 7. Corrective Action Procedures:** Neuronetics has corrective action procedures in place to address deficiencies in its compliance program. Human Resources, in conjunction with the Compliance Committee, monitor corrective actions taken related to our Code and related policies and procedures, including any sanctions taken in response to instances of non-compliance.



## **ANNUAL LIMIT ON GIFTS, PROMOTIONAL MATERIALS, OR ITEM OR ACTIVITIES**

Neuronetics has established a \$3,500.00 limit on items provided to HCPs on an annual basis. This limit applies to gifts and items provided to HCPs but does not include: items provided at no charge to patients; financial support for continuing medical education forums; financial support for health educational scholarships; or payments made for legitimate professional services provided by a healthcare or medical provider, including, but not limited to, consulting fees. The following items and activities are examples of items subject to the limit: samples for demonstration purposes; journal article reprints; business and training meals with HCPs; and promotional materials. Any items provided to HCPs are for educational and training purposes, are provided in accordance with our Code, and are never provided as incentives.

## **DECLARATION OF COMPLIANCE WITH CALIFORNIA LAW**

As such, to the best of its knowledge, Neuronetics is in compliance with California Health & Safety Code § 119400- 194002 and Neuronetics' Code and Compliance Program are substantially similar to: (1) the OIG's Compliance Program Guidance for Pharmaceutical Manufacturers; (2) the AdvaMed Code of Ethics on Interactions with U.S. Health Care Professionals; (3) the MDMA Code of Conduct on Interactions with Healthcare Providers; and (4) the PhRMA Code on Interactions with Health Care Professionals, that are specified in § 119400- 194002.

## **Contact Information**

For questions or comments regarding the Neuronetics Compliance Program, or to request a copy of the program, please email [compliance@neurostar.com](mailto:compliance@neurostar.com).

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