

Service Description

IBM Facility Targeting Reports

This Service Description describes the Cloud Service. The applicable order documents provide pricing and additional details about Client's order.

1. Cloud Service

The IBM Facility Targeting Reports query tool provides Life Sciences organizations with on-line access to detailed, up-to-date, hospital facility data to support product forecasting, sales force alignment, and clinical trial placement when targeting hospitals and ambulatory surgery centers in the United States.

The IBM Facility Targeting Reports query tool combines hospital diagnosis and procedure volumes with comprehensive physician affiliation data to provide insight into key drivers for specified U.S. geographic markets. The forecasting methodology is based on expected growth rates for individual service lines by procedure corrected by the expected impact of healthcare reform. The aggregation and forecasting capability enables Life Sciences organizations to:

- Estimate sales potential for specific hospitals and ambulatory surgery centers in the United States;
- Determine facilities with potential for high clinical trial enrollment;
- Optimize sales force territories and sales strategies, and target specific facilities for sale opportunity development; and
- Develop forecasts for new products or indications.

1.1 Offerings

The Client may select from the following available offerings.

1.1.1 IBM Facility Targeting Reports – Online Tool

IBM Facility Targeting Reports – Online Tool provides Client online access to receive individual reports from the available "IBM Facility Targeting Reports – Facility Report".

1.2 Acceleration Services

1.2.1 IBM Facility Targeting Reports – Facility Report

IBM Facility Targeting Reports – Facility Report is a remotely delivered service which provides information (on facility level) for product forecasting, sales force alignment, call plans, and clinical trial placement when targeting hospitals and ambulatory surgery centers in the United States in the form of a report delivered electronically in Microsoft Excel or CSV format.

1.2.2 IBM Facility Targeting Reports – Physician – Hospital Report

IBM Facility Targeting Reports Physician – Hospital Report is a remotely delivered service which provides information (on facility and physician level) for product forecasting, sales force alignment, call plans, and clinical trial placement when targeting hospitals and ambulatory surgery centers in the United States in the form of a report delivered electronically in Microsoft Excel or CSV format.

2. Data Processing and Protection Data Sheets

IBM's Data Processing Addendum at <http://ibm.com/dpa> (DPA) and the Data Processing and Protection Data Sheet(s) (referred to as data sheet(s) or DPA Exhibit(s)) in the links below provide additional data protection information for the Cloud Services and its options regarding the types of Content that may be processed, the processing activities involved, the data protection features, and specifics on retention and return of Content. The DPA applies if and to the extent the European General Data Protection Regulation (EU/2016/679) (GDPR) applies to personal data contained in Content.

<https://www.ibm.com/software/reports/compatibility/clarity-reports/report/html/softwareReqsForProduct?deliverableId=29C8BDB0BB3211E7A229E0F52AF6E722>

3. Service Levels and Technical Support

3.1 Service Level Agreement

This Cloud Service does not provide an availability SLA.

3.2 Technical Support

Technical and content support for the Cloud Service is provided. Support contact information and other details about support operations can be found at https://www-01.ibm.com/software/support/watsonhealth/truven_support.html. Technical and content support is offered with the Cloud Service and is not available as a separate offering.

4. Charges

4.1 Charge Metrics

The charge metric(s) for the Cloud Service are specified in the Transaction Document.

The following charge metrics apply to this Cloud Service:

- Authorized User is a unique user authorized to access the Cloud Services in any manner directly or indirectly (for example, through a multiplexing program, device or application server) through any means.
- Item is an occurrence of a specific item that is managed by, processed by, or related to the use of the Cloud Service. For this Cloud Service, an Item is a single, unique report from the available "IBM Facility Targeting Reports – Facility Reports" or "IBM Facility Targeting Reports – Physician – Hospital Report".

4.2 Remote Services Charges

An on-demand remote service charge, if ordered, will be billed at the rate specified in the Transaction Document.

5. Additional Terms

For Cloud Service Agreements (or equivalent base cloud agreements) executed prior to January 1, 2019, the terms available at <https://www.ibm.com/acs> apply.

5.1 Third Party License and Provisions

Client shall comply with and be bound by all provisions and agreements required by other third party licensors as are contained herein. Client's right to use the third party licensor products terminate if Client fails to comply with any such obligations.

5.2 Required Report Inputs

If not specified upon order, Client must provide to IBM required report inputs (e.g. procedure codes) for "IBM Facility Targeting Reports – Facility" and "IBM Facility Targeting Reports – Physician – Hospital Report" within 80 calendar days after order allowing IBM to deliver to Client requested reports no later than 90 calendar days after order. If Client does not provide required report inputs within 80 calendar days after order and IBM is not able to deliver to Client requested reports no later than 90 calendar days after order, reports will be deemed completed without remaining work for IBM and no refund nor credit to Client.

6. Overriding Terms

6.1 Processing of Personal Data

The following prevails over anything to the contrary in the Content and Data Protection section of the base Cloud Service terms between the parties:

Pursuant to the Agreement, both Client and IBM understand that IBM's Data Processing Addendum at <http://ibm.com/dpa> (DPA) and applicable DPA Exhibit(s) apply and supplement the Agreement if and only to the extent the European General Data Protection Regulation (EU/2016/679) (GDPR) applies to personal data contained in Content. This Cloud Service is not currently designed to process any personal data subject to the GDPR and as such, the DPA and any applicable DPA Exhibit(s) are out of scope for

the Cloud Services. Client warrants that no personal data subject to GDPR is or will be contained in Content or provided to IBM as a Processor on behalf of the Client as part of the Cloud Service provision. If Client does seek to provide personal data subject to the GDPR to IBM as a processor, then prior to providing such data, the Client shall notify IBM in writing and if IBM consents in writing to receive such data, after such consent, Client may provide such data, and Client and IBM will comply with their respective obligations under the GDPR, then the DPA and applicable DPA Exhibit(s) referenced in the Agreement shall apply and supplement the Agreement.