

## **TERMS & CONDITIONS OF SIENTRA, INC.'S CAPCON CARE PROGRAM**

### **Program Summary**

The CapCon Care Program (the "Program") provides each first-time breast-augmentation patient who is implanted with a Sientra TRUE Texture<sup>®</sup> Silicone Gel Breast Implant with the limited benefit of a No-Charge Replacement Implant (an "NCRI") in the event she is diagnosed, within 2 years of primary implantation, as having Baker Grade III or IV Capsular Contracture in her affected breast.

### **Program Start Date**

The CapCon Care Program applies only to women whose first breast surgery was implantation with a Sientra TRUE Textured silicone gel breast implant on or after November 1, 2013.

### **Patient Eligibility**

To be eligible for an NCRI, the patient must be registered in Sientra's Breast Implant Device Tracking and Limited Warranty and Lifetime Product Replacement Programs.

### **Plastic Surgeon Eligibility**

To be eligible for an NCRI, the patient must have both her original implantation and her revision surgery performed by a Board-Certified (or Board-Admissible) Plastic Surgeon, in the United States who fully complies with the product's Directions for Use.

### **Primary Requirements for a No-Charge Replacement Implant to be Provided**

- Patient must be implanted with a Sientra TEXTURED silicone gel breast implant on or after November 1, 2013 and such surgery must be her first breast surgery.
- Patient must be diagnosed with Baker Grade III or IV Capsular Contracture within 2 years of her first implantation.
- Surgeon must provide to Sientra a completed and signed, "Request for No-Charge Replacement Implant" form within 2 years of the original implantation.

### **Important Limitations on NCRIs**

Sientra will only provide an NCRI if the requested NCRI is the same as the patient's original implant:

- the same style (i.e., "Classic," "Oval," "Round-based," or "Textured Round");
- same projection (i.e., "LP," "MP," or "HP"); and
- the same size (or one size smaller or larger) – if such size is available at the time of the NCRI request. For example, a 20621-485MP may be replaced by a 20621 (485MP or 435MP or 525MP).

## Other Program Limitations

- Only one NCRI is provided per affected breast. Any other replacement implant, including a contralateral replacement or spares for surgery, will be billed at list price.
- If all program requirements are met for each breast, then patients diagnosed with bilateral capsular contracture may qualify for two NCRI's.
- The revision surgery/capsulectomy to remove the existing implant and replace it with an NCRI must occur within 180 days of the NCRI being shipped to the surgeon; and this must be reported to Sientra via a completed Device Tracking and Warranty Enrollment Form. If the Enrollment Form is not completed and submitted to Sientra within 180 days of the NCRI being shipped, the surgeon will be charged list price for the device.
- Sientra reserves the right to review patient medical records and surgeons' operative notes when determining eligibility.

## No Cash Benefit; Non Transferable

There is no cash benefit to patients in this Program.

- There is no cash benefit even when the NCRI has a lower list price than patient's original implant.
- There is no cash benefit if the patient's same style or size or requested size is not available for any reason, including supply shortage, strikes, acts of war, or acts of God, or for any other reason that Sientra is unable to supply timely (or at all) any NCRI.

The benefit of a NCRI is provided to individual patients only and is intended exclusively for the benefit of that patient. The benefit is not transferable.

## Interactions between the CapCon Care Program and Sientra's Limited Warranty and Lifetime Product Replacement Programs

The CapCon Care Program is an added benefit to patients and is in addition to Sientra's Limited Warranty and Lifetime Product Replacement Programs. (Terms & conditions of those programs are at [sientra.com](http://sientra.com).)

- NCRI's carry whatever Limited Warranty or other programs are in effect at the time the NCRI is shipped to the surgeon.
- Because the CapCon Care Program only applies for two years following *primary* breast augmentation, patients who have been re-implanted with any replacement implant (including an NCRI) are not eligible for additional NCRI's for that breast under the CapCon Care Program.
- Patients who simultaneously experience both capsular contracture and an implant rupture may qualify for a NCRI under both the CapCon Care Program and under the Product Replacement Program; however, the patient is eligible for, at most, only one NCRI per breast.

## Refer to Product Labeling and "Directions for Use" for Additional Information

- These Terms & Conditions do not replace the product labeling nor the product's "Directions for Use" for Sientra's silicone gel breast implants. Individuals with questions about these products should read those documents or the Patient Educational Brochure available on Sientra's website, or consult their board-certified plastic surgeon.

## Program Termination

Once a patient is implanted under CapCon Care, the Program's benefits are guaranteed to her. However, the Program may be terminated for new enrollees at any time without notice.