



Medical Supply Program Disclosure

The medical supplies, equipment, material and other items available from Partners for World Health are items that would have been discarded or otherwise disposed of by hospitals or health care providers in the United States. These materials are being made available strictly on a "as is" basis for humanitarian use in circumstances in which sufficient alternative sources of such resources are not available. The recipient organization recognized that Partners for World Health and the donor facilities do not make any representations or warranties, either express or implied, that the materials are fit, appropriate, free from defects, sterile, pure, operable, or otherwise suitable for any intended purpose. The recipient organization accepts the materials "as is", with all faults, and acknowledges that in the inspection for any defects and the safe operation of said materials is solely the responsibility of the recipient organization. Each recipient organization, recipient facility, and responsible manager of such entities assumes full responsibility for making an independent determination of the appropriateness of the materials (or any part thereof) before using them, and for discarding any material which is not appropriate for use. Under no circumstances shall Partners for World Health, the manufacturer or distributor of the material, or any United States hospital or healthcare provider that ever owned or used the donated equipment, be liable to recipient organization or anyone for direct, special, indirect, incidental or consequential loss or damage resulting from the materials or their use. To the maximum extent permitted by law, the recipient organization fully accepts and assumes all risk and all responsibility for losses, costs, and damages that the recipient organization, its agents, representatives, members, directors, officers, employees, contractors, patients, transferees may incur as a result of the materials or their use, including without limitation personal injuries, illness, damage, loss to property and death. Partners for World Health and the recipient organization recognize that this agreement shall release Partners for World Health and donor facilities from any and all liability for personal injury and/or any other type of injury arising from the use of the materials. The recipient organization acknowledges that the consideration for this release and indemnification is the donation of the materials themselves. By making an application for the receipt of such materials and by accepting such materials, the recipient organization, to the maximum extent permitted by law, fully releases, acquits and forever discharges Partners for World Health, the donor facilities, and each and every past and present subsidiary, affiliate, officer, director, agent, servant, employee, trustee, and representative of Partners for World Health and the donor facilities from any and all loss, damages, claims, causes of action, suits, debts, liens, obligations, liabilities, demands, costs and expenses of any kind, character or nature whatsoever, known or unknown, fixed or contingent, which might arise from or be related or associated in any way with the Materials or their use, including but not limited to any injury, illness, disease, property damage, death, or loss of any nature suffered or sustained in connection with the use of possession of the materials. To the maximum extent permitted by law, the recipient organization also agrees to indemnify, save, and hold the Release Persons and Entities harmless to any loss, damages, claims, causes of action, suits, debts, liens, obligations, liabilities, demands, costs and expenses (including attorney's fees) of any kind, character, or nature whatsoever, known or unknown, fixed or contingent, which may be incurred arising out of or related to the use of possession of the materials, regardless of the nature or the extent of the injury, illness, disease, property damage, death or loss, and regardless of whether it results from the negligence of the users or the released persons or entities.

15 February 2018