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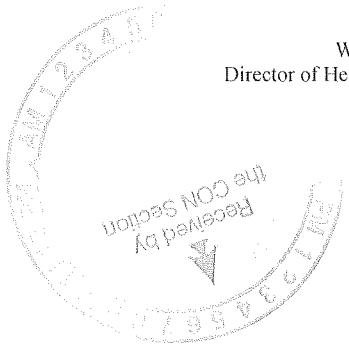
DaVita " he/she that gives life"

William L. Hyland
Director of Healthcare Planning



April 30, 2012

Mr. Craig Smith, Chief
Certificate of Need Section
Division of Health Service Regulation
North Carolina Department of Health and Human Services
2704 Mail Service Center
Raleigh, NC 27699-2704

RE: Project #A-8795-12/Fresenius Medical Care Certificate of Need Application for Bio-Medical Applications of North Carolina, Inc. d/b/a FMC Macon County/Establish a New 7 Station Dialysis Facility

Dear Mr. Smith:

The following are written public comments about the project referenced above:

The applicant presents a Certificate of Need application that cannot be approved due to the failure to comply with several of the review criteria and rules.

In **Section I.10(a). on page 2** of the BMA Macon County application, the applicant states that the owner of the building in which the proposed dialysis stations will be located "To Be Determined". The applicant states in **Section XI.2(j)** that "Subsequent to CON award, BMA will diligently pursue acquisition of the site with the property developer." The information in Section XI contradicts the information in Section I. It also contradicts that information in Section VIII. since the applicant does not include the purchase price of the property and the associated costs related to the purchase of property.

In **Section II.1(b)(1)** the applicant, for new facilities, is required to submit a letter of intent to sign a written agreement or a signed written agreement with an acute care hospital that specifies the relationship with the dialysis facility and describes the services that the hospital will provide to patients of the dialysis facility. The applicant fails to provide either a signed letter of intent or a signed written agreement. The applicant acknowledges that they have not provided the required documentation.

The applicant lays out their assumptions for their identified patient population on Page 15 of the application. In the first assumption, "BMA assumes that the ESRD patients of Macon County desire to dialyze at a facility within Macon County. No patients should

have to leave the county for dialysis care and treatment. In the second assumption the applicant is assuming only that only 90% of the patients will seek admission in their facility. It is more reasonable to assume the all of the in-center patients will seek admission to their proposed facility on no in-center patient will seek admission. Therefore, if 100% of the identified patient population seeks admission to the proposed facility, the staffing and shifts identified later in the application would not be sufficient to offer all in-center patients either a first or second shift. They would have to offer a third shift, which would be inconvenient to the patients due to convenience and transportation needs.

The applicant provides no information that any Nephrologist will seek admitting privileges to the proposed facility other than a Nephrologist located182 miles away that has indicated that he would consider serving as Medical Director. That Nephrologist is currently the President of the largest Nephrology practice in North Carolina and one of the largest Nephrology practices in the United States. There is no evidence in the application that the applicant has made contact with any Nephrology practice other than with Dr. Hart in Charlotte.

The applicant assumes in the third assumption that 50% of the home-trained patients would transfer their care to a dialysis facility operated by the applicant in Macon County. The patients travel to Sylva one to two times a month for lab draws and a visit with the care team. To these patients that inconvenience would be worth it to them to keep the same care team which includes their current Nephrologist.

The fourth assumptions indicates that new dialysis patients residing in Macon County would choose the applicant's facility for hemodialysis or home-training. That is an assumption not backed by any credible information regarding any Nephrologist that would admit patients to the facility. The applicant has not identified any Nephrologist or Nephrology practice that would be willing to admit patients to their proposed facility.

In the sixth assumption the applicant indicates that the PD and HHD patients will remain constant. This means there would be no home-training admits during the first two years of operation. It would be likely that one or more of the patients admitted in the home training program may pass away, move away or receive a transplant. Therefore, with no new admits, the patient population identified in the home training program is not realistic.

On page 17 of the applicant quotes from the Final Agency Decision Finding of Fact in the Brunswick County Certificate of Need appeal case. The findings of fact were written by Lee Whitman, Attorney for Fresenius Medical Care and adopted by Jeff Horton, then the acting Division Director. These findings of fact are neither a part of the Certificate of Need General Statutes, Certificate of Need Statutes or Agency Rules. Therefore, these statements do not give the applicant a free pass on their flawed methodology.

The applicant states at the bottom of Page 17, "BMA is not an existing provider in the area and BMA does not have direct knowledge of the ESRD patients of the area". There is no indication in any portion of the application that the applicant has made an attempt to

identify dialysis patients residing in Macon County through community meetings or even identifying Macon County patients receiving dialysis services in the Fresenius facility in Clayton, GA, just across the state live from Macon County. The reason the applicant submitted these quotes from an agency decision is that they know their methodology is flawed.

On page 22 of the Fresenius Macon County application, the applicant states, "In the Macon County situation, BMA is faced with dedicating a single hemo-dialysis station, or in the alternative, forcing patients seeking to utilize the home hemo-dialysis modality to seek training and support at another location outside Macon County. BMA has chosen to develop a dedicated home hemo-dialysis station.

The applicant knows that there were 8 home-trained patients in Macon County as of December 31, 2011 based on information available on the ESRD Network 6 web page. Attached is a copy of the first page of that Zip Code Report and the page that cites the Macon County data. This information serves as **Exhibit 1** and is attached to this letter. Based on information contained in the application, that station would sit vacant for at least period years after certification of the proposed facility. The applicant assumes that they will not admit any home-trained patients during the first two years of operation of their proposed facility. If the one patient were to transfer their care from the Sylva Dialysis Center where they have been followed by experienced home-hemodialysis nurses and a Nephrologist with Mountain Kidney Associates since diagnosis of End Stage Renal Disease, that patient would only visit the proposed Fresenius facility for lab draws and a meeting with an inexperienced team and no identified Nephrologist.

On page 26 the applicant makes a series of statements regarding services that are proposed to be available, but provides no written documentation that providers identified have been contacted and indicated they will be willing to offer the services. They include:

- Diagnostic and evaluation services at Angel Medical Center and Harris Center
- X-ray services at Angel Medical Center and Harris Medical Center
- Blood Bank services at Angel Medical Center and Harris Medical Center
- Acute dialysis in an acute care setting at Murphy Medical Center and Mission Hospitals – Murphy Medical Center does not offer acute dialysis in an acute care setting which provides additional evidence that these providers have not been contacted in any manner.
- Vascular surgery for dialysis treatment patients will be referred to three surgeons in Franklin who will then refer them to Carolina Vascular in Asheville. There is no evidence that any of these physicians and Carolina Vascular have been contacted.
- Vocational rehabilitation counseling and services at Macon Vocational Rehabilitation. There is no Macon Vocational Rehabilitation in Macon County.
- Transportation services offered by Macon County Transit.

On page 27 the applicant states, "Each new employee will be required to successfully complete an eight-week training program". The applicant does not state where this training will take place. I don't know of an End Stage Renal Disease patient that would want a patient care technician or Registered Nurse with eight weeks of training providing the staffing for their hemodialysis treatments.

At the bottom of Page 29 and the top of Page 30 the applicant states, "...89.2% of the In-Center revenue is derived from government payors. These projections reflect the current payor mix at similar BMA facilities in western North Carolina and Eastern Tennessee". The applicant does not have a dialysis facility in Western North Carolina. Western North Carolina is includes all counties west of Polk, Henderson, Transylvania, Buncombe and Madison and Mitchell Counties. The applicant does not operate any facility with less than ten stations, except in Dare County on the coast of North Carolina. Tennessee is not North Carolina.

On page 30 of the application, the applicant states, "BMA is not seeking State or Federal monies to accomplish this transfer of stations; BMA is not seeking charitable contributions to accomplish this transfer of stations. Rather, BMA, through its parent company, FMS is taking on the financial burden to complete this transfer of stations in an effort to bring dialysis treatment closer to the patient homes". The applicant is apparently confused about whether this is a CON application to transfer stations to Macon County or in response to an adjusted need determination.

On page 37 of the application, the applicant states, "In 2001 Fresenius Medical Care began a movement to utilize single use dialyzers in all facilities. FMC was ending the practice of re-processing and re-use of artificial kidneys. A team of clinicians, EdMund Lowrie, Zhensheng Li, Norma Ofsthun, and Michael lazarus, seized this unique opportunity to study the effects of single use dialyzers upon a broad cross section of dialysis patients. This team published their paper, *Reprocessing dialysis for multiple uses: recent analysis of death risks for patients" in* Nephrology Dialysis Transplantation, on August 17, 2004. ...The results of the study as reported in the abstract, "suggested favourable survival advantages among patients treated with single use dialyzers". The study concludes, "A risk benefit appears associated with abandonment of the dialyzer reuse practice..."".

The applicant fails to state that their organization produces single use dialyzers and makes a profit on every dialyzer sold to Fresenius facilities. The study cited above was conducted not at arms length, but by employees of Fresenius Medical Care. Dr. Michael Lazarus was the Chief Medical Officer of Fresenius when this study was conducted. Many other studies conducted have found no evidence of increased clinical outcomes by using single use dialyzers. If Fresenius were convinced that single use dialyzers were safer than reuse dialyzers, then they would not manufacture and sell reuse dialyzers. Fresenius Medical Care does manufacture and sell reuse dialyzers. Attached as **Exhibit 2** is a current copy of their product catalog. One page 13 of the catalog please will find the nomenclature for the reuse dialyzers. The type of dialyzer is a choice made between the Nephrologist and patient written in a prescription.

On page 44 the applicant states that there will be 21.1 in-center patients at the end of operating year one and 21.9 in-center patients at the end of operating year two. However, the applicant states, "BMA has rounded down to the whole number based upon past guidance from Craig R. Smith, Chief of the CON Section". However, the applicant fails to round down the patients to a whole number in the chart on the page.

At the bottom of Page 45, the applicant cites what they state as the two most significant alternatives they considered in response to the requirement to explain that the least costly and most effective alternative has been proposed. BMA indicates that they considered not applying to develop the facility. A representative of BMA knew that DaVita intended to submit an application since August 2011 if an adjusted need determination was declared in the January 2012 SDR. The applicant offers nothing in any type of support for their application, including holding community meetings to seek to identify patients and secure support for their application.

On page 48 the applicant states, "Patients of FMC Macon County would be referred Angel Medical Center for routine health services". The applicant provides no evidence of any support or that they have even contacted Angel Medical Center.

On page 49 the applicant states, "Upon CON approval, BMA will work with the local medical community to apprise them of all services available through a BMA facility in the area". This is their response to the requirement to provide a description of the efforts make by the applicant to develop relationships with local physicians. Their answer should have been that they did nothing to develop relationships with local physicians.

On page 49 the applicant is asked to identify those physicians who have expressed a willingness to serve as Medical Director of the facility. The applicant identified Dr. George Hart as the Medical Director of the facility. In his letter, Dr. Hart identifies his Nephrology practice that is located in Charlotte, 182 miles from Franklin.

On page 49 the applicant is asked to identify those physician(s) who have expressed a willingness to provide medical coverage for the ESRD patients. The applicant states, "Once the CON has been approved and the facility begins development, BMA will invite nephrologists to seek admitting privileges to the facility. At this time the predominant nephrology practice in the area is Mountain Kidney Associates of Asheville". The applicant fails to provide the names of any physicians. There is no evidence that the applicant has contacted any Nephrologist concerning their willingness to provide medical coverage for the ESRD patients.

On page 50 the applicant is asked to describe efforts made by the applicant to develop relationships with other local healthcare and social service providers. The applicant indicates that they met with one provider, Macon County Social Services. No other agencies are named.

On page 50 the applicant is asked to provide any documented evidence of specific support for the CON application from other groups/individuals who could affect the

project's success. The applicant offers no documented evidence other than a letter from Dr. George Hart indicating he would consider serving as Medical Director if Fresenius is awarded the CON. His office is located 182 miles from Franklin.

On page 50 the applicant is asked if they visited the service area. The only person identified is Jim Swann. No one from their operations area is cited as visiting the county.

On page 50 the applicant is asked to explain the expected effects of the proposed project on competition in the proposed service area. The applicant states on page 51, "BMA does not anticipate that this proposal will have any effect upon dialysis facilities in neighboring Counties except to the extent that Macon County ESRD patients will have a nearby provider. However, that will be the same regardless of which provider is awarded the CON". The applicant did not take into consideration the continuity of care issue. Most of the patients are receiving services at the Sylva Dialysis Center in Sylva. Total Renal Care of North Carolina, LLC d/b/a Sylva Dialysis Center is the provider. If a CON was awarded to FMC and the patients sought transfer, they would have to leave a facility with experienced caregivers and their Nephrologist. It is stated in the Total Renal Care CON application that some of the teammates, including the Facility Administrator, will be serving the Macon County patients at their new facility – thus providing continuity of care. They would also have the same Nephrologist as well as all of the other services they have been receiving from other agencies.

The applicant states on page 51, "This proposal will certainly not adversely affect quality, but rather, enhance the quality of the ESRD patients' lives". The applicant does not speak to the lack of continuity of care if they were to be the provider or the fact that the patient would have to change care givers and Nephrologists. Based on the application submitted, there is no identified Nephrologist to admit patients at the facility.

On page 52 the applicant states, "FMC Macon County will serve all persons in need of dialysis, with proper referral from a physician with admitting privileges". The applicant fails to provide any documentation that they have a network of Nephrologists to receive referrals from local physicians. The applicant has not identified any local physicians that support their application or stated that they will refer patients with Chronic Kidney Disease to Nephrologists.

The applicant states on page 53, "The admission policy included at Exhibit 8 indicates that patients are required to have some type of insurance prior to admission for treatment. ...However, in the interest of providing services where needed, the Regional Vice President does have the authority to override the policy". These statements give the impression that some patients will be excluded from treatment at a Fresenius facility if the Regional Vice President does not override the policy. This gives one the impression that FMC is selective in who they admit with some patients turned away.

On page 54 of the application the applicant is asked to describe any established working agreements with community agencies. The applicant responds, "As an existing provider, BMS has established informal working agreements with local physicians, home health

agencies, and area hospitals. Therefore, referral and support relationships currently exist with the medical community in Macon County." There is no evidence in the FMC application that they have any relationship with any local physician, any home health agency or any local hospital.

On page 55 the applicant responds to the issue of working agreements with referring agencies by stating, "Not applicable. This is an active ongoing facility with many years of performance history in the community". The applicant provides no documentation that they have any type of relationship with any physician practice, hospital or any other agency in Macon County or in the area around Macon County.

The applicant states in Section VII.1. that they will hire one FTE Registered Nurse. However, they facility will be operational 60 hours a week. which means that the minimum requirement for Registered Nursing coverage is 1.5 FTE.

The applicant states in Section VII.1 that they will have 2.5 FTE patient care technician positions at their proposed Macon County facility. However, the applicant states in the chart that they will hire only 1.5 patient care technician positions. Even if they were to hire 2.5 FTE patient care technicians, the applicant would be well short of coverage on the treatment floor. Operating six days a week for 10 hours a day (see Section VII.10.), with three patient care technicians on the treatment floor, they would need a total of 180 hours of patient care technician time. Even if they included the 40 hour a week Registered Nurse, they would still be short by one FTE position.

In Section VII.6. The applicant is asked to describe the back-up arrangements for each nephrologist to be affiliated with the proposed facility. The applicant responds, "BMA expects the nephrologists to provide 24 hours back-up. Nephrologists will share and rotate call". The applicant provides no documentation that they have any affiliation with any Nephrologist other than Dr. George Hart who is located 182 miles from Franklin.

In Section VII.7 the applicant is asked if any staff nephrologists will be serving any other dialysis facilities. The applicant states, "BMA assumes that the nephrologists currently providing care for the dialysis patients of Macon County will seek admitting privileges at the facility". The applicant provides no documentation that they have had any conversations with Mountain Kidney Associates that would lead the applicant to believe the Nephrology practice would seek admitting privileges at the proposed Fresenius facility in Macon County.

In Section VII.8 the applicant is asked which hospital the nephrologist will have admitting privileges. The applicant states, "The nephrologist necessarily needs privileges at a hospital providing acute dialysis treatment. Mission hospital in Asheville provides acute dialysis for many patients in western North Carolina". The applicant has not provided the name or an association with any Nephrologist in western North Carolina nor have they provided any documentation that they have a relationship with Mission Hospitals in Asheville.

In Section VII.9. the applicant is asked how many physicians currently serve patients in your facility and if the proposed project is developed, how many physicians do you project will be serving patients. The applicant states, "...BMA anticipates that three nephrologists will seek admitting privileges. This will be a primary nephrologist to make rounds at the facility and two back-up nephrologist who can share call with the physician". The applicant has not identified any Nephrologist that would be associated with the proposed facility.

In Section VIII.7 on page 61 the applicant is asked to supply copies of the two most recent audited financial reports of the applicant. The request goes on to state that if audited statements are unavailable, please provide un-audited statements. The applicant states, "Please refer to Exhibit 10 for a copy of the most recent audited FMC Holdings, Inc., Consolidated Balance Sheet for 2009 and 2010. In addition, a copy of the Auditor's letter is included. Audited reports for 2011 are not yet available". The applicant fails to provide any financial documentation regarding 2011. See **Exhibit 3** for a copy of a document dated February 24, 2011, three weeks prior to the submission date of the FMC Macon County CON application, for a copy of a document titled Investor News. The article states, in part, "A hard copy of Fresenius Medical Care's annual report on Form 20-F including the complete audited financial statements may be obtained from the company free of charge upon request to the company's Investor Relations department by email at ir@fmc-ag.com". The applicant fails to provide the most updated audited or un-audited financial report.

In Section IX.1.(b). the applicant indicates that the clerical position and Social Worker will be hired two weeks before the proposed opening and the Dietician on week before the proposed opening. The applicant states in another part of the application that all new hires will be trained for eight weeks. The information in the chart on page 63 provides evidence that Fresenius proposes to hire all new employees for their proposed facility.

At the bottom of page 63 the applicant indicates that they will have 1.5 dialysis nurse, 3.5 patient care technician and .5 receptionist. The Staffing and Operation chart in Section VII.1 (no page number) indicates that there will be 1 RN and .25 Home training nurse and 2.5 tech positions. The information in Section VII. does not correspond with the information offered on page 63.

On page 67 the applicant uses partial patients in describing how many patients they will be dialyzing during the year. The applicant states, "BMA has projected to begin the first year of operation with 20.4 In-Center patients, ending the year with 21.1 In-Center patients. The applicant fails to indicate what .4 or .1 of a patient looks like. The applicant stated in Section II. and Section III. that Mr. Smith, Chief of the CON Section, had stated that the CON Section does not recognize partial patients. For this reason, the patient treatment projections are inaccurate.

The floor plan of the proposed facility indicates that they are planning to have at least 8 stations. The treatment floor shows seven numbered stations and the eighth station is located in the home hemo training room.

The information in Exhibit 30 indicates that the building at 232 Cunningham Road has 9,600 square feet at a cost of $13.00 per square feet. There is no document contained in the application or exhibits that indicates the amount of space that is available for lease. See **Exhibit 4** for pictures of the site.

The applicant indicates on page 78 that the proposed facility will have 6,396 square feet. Looking at the information on page 2 of Exhibit 30, the information indicates that the 9,600 square feet contains two buildings. In the remarks section of the document it states, "12 unit, 9,600 sq.ft. Shopping Complex near Walmart in Franklin". There are 12 units in the two buildings with each unit being 800 square feet according to the real estate agency listing the complex. One of the buildings has 7 units and the other has 5 units. One building has 5,600 square feet and the other building has 4,000 square feet. Neither building is capable of holding the 6,396 square feet proposed dialysis facility. The realtor indicates that 60% of the square footage is currently leased. **Exhibit 5** contains an email from a realtor located in Macon County who has inquired about the site.

The applicant indicates in Exhibit 31 that the secondary site has only 4,000 sq. ft. See **Exhibit 6** for pictures of the site. One picture indicates that the site has 3,000 +/- SF available for lease.

It is apparent that neither location has the square footage available to house the proposed dialysis facility.

It will be apparent to the project analyst assigned to review this application that it is filled with inconsistencies and failures to adequately address many of the Certificate of Need Statute Criterion and Rules. Therefore, this Certificate of Need application is fatally flawed and should be denied.

Sincerely,

William L. Hyland

William L. Hyland
Director of Healthcare Planning

Attachments

Exhibits

Exhibit 1

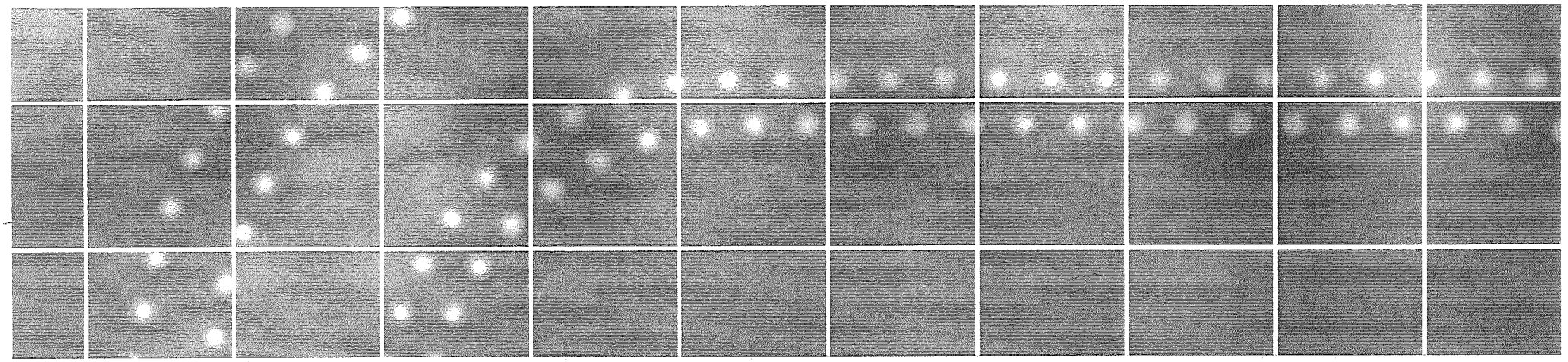
Zip Code of Residence for Patients Currently Dialyzing in Network 6 Units

(grouped by State and County and current as of 1/9/2012)

			In-Center HD	In-Center PD	Home HD	Home PD	Total
Missing or Out of Area	Missing or Out of Area	Missing	197	0	5	37	239
			3	0	0	0	3
		Total	200	0	5	37	242
	Total		200	0	5	37	242
GA	Missing or Out of Area	Missing	37	0	0	7	44
		Total	37	0	0	7	44
	APPLING	31513	23	0	0	3	26
		31515	2	0	0	0	2
		31518	2	0	0	0	2
		31563	2	0	0	0	2
		Total	29	0	0	3	32
	ATKINSON	31642	8	0	0	0	8
		31650	6	0	0	1	7
		Total	14	0	0	1	15
	BACON	31510	17	0	0	0	17
		Total	17	0	0	0	17
	BAKER	31770	1	0	0	0	1
		39862	1	0	0	0	1
		39870	9	0	0	0	9
		Total	11	0	0	0	11
	BALDWIN	31030	1	0	0	0	1
		31034	5	0	0	1	6
		31059	3	0	0	0	3
		31061	92	0	2	6	100
		31062	1	0	0	0	1
		Total	102	0	2	7	111
	BANKS	30511	3	0	0	1	4

			In-Center HD	In-Center PD	Home HD	Home PD	Total
NC	LENOIR	28572	1	0	0	0	1
		Total	159	0	3	9	171
	LINCOLN	28033	4	0	0	0	4
		28037	7	0	0	3	10
		28080	5	0	2	0	7
		28092	28	0	3	5	36
		28093	1	0	0	0	1
		28168	9	0	0	2	11
		Total	54	0	5	10	69
	MACON	28734	14	0	1	6	21
		28741	1	0	0	1	2
		28744	2	0	0	0	2
		28763	4	0	0	0	4
		Total	21	0	1	7	29
	MADISON	28743	1	0	0	0	1
		28753	5	0	0	0	5
		28754	5	0	0	0	5
		Total	11	0	0	0	11
	MARTIN	27840	2	0	0	0	2
		27841	1	0	0	0	1
		27846	7	0	0	2	9
		27857	6	0	0	0	6
		27861	1	0	0	0	1
		27871	10	0	0	3	13
		27892	46	0	0	3	49
		Total	73	0	0	8	81
	MCDOWELL	28752	34	0	1	1	36
		28761	6	0	0	1	7
		28762	4	0	0	2	6
		Total	44	0	1	4	49

Exhibit 2



Fresenius Medical Care

Product Catalog

Fresenius Medical Care

Table Of Contents

This catalog authored in the United States for United States audiences. Not all products in this catalog are licensed for sale in Canada.

Caution: Federal (US) law restricts these devices to sale by or on the order of a physician or other licensed practitioner. For safe and proper use of a device refer to the device's Instructions for Use.

Directory of Services

General Information

PRODUCT(S) shall mean EQUIPMENT and DISPOSABLES.

DISPOSABLES shall mean any hemodialysis or peritoneal dialysis product other than EQUIPMENT.

EQUIPMENT shall mean hemodialysis machines, peritoneal dialysis cyclers, and other related equipment.

Drug and Service State Licensing Requirements: CUSTOMER agrees to obtain and maintain all state-mandated licenses and/or permits required for the purpose of purchase, use, and distribution of FUSA PRODUCT(S). CUSTOMER shall provide all applicable license and permit information to FUSA upon request.

Before shipping to home patients, a prescription for a period not to exceed one (1) year must be obtained.

Tax Exempt Status: A CUSTOMER that is exempt from taxation is required to provide appropriate certification to FUSA'S Finance Department.

PRODUCT(S) sold is not for resale.

Warranties

FUSA warrants that the PRODUCT(S) manufactured by Fresenius Medical Care North America, when used in accordance with the directions on the labeling, is fit for the purposes and indications described on the labeling. The applicable manufacturer under the manufacturer's warranty will cover PRODUCTS not manufactured by Fresenius Medical Care North America, and FUSA provides no warranty for PRODUCTS not manufactured by Fresenius Medical Care North America.

The Warranty does not apply to any PRODUCT that is misused, abused, neglected, tampered with or damaged by accident, flood, fire or other hazard. If the PRODUCT(S) is not used in accordance with manufacturer's instructions, the product warranties are void and of no effect. There are no other express or implied warranties, including any warranty of merchantability or fitness for a particular purpose. FUSA shall not be liable for proximate incidental, or special damages.

All warranties in this Policy shall be construed to comply with the warranty Safe Harbor found at 42 C.F.R. 1001.952(g).

THE WARRANTY IN THIS SECTION SHALL BE IN LIEU OF ANY OTHER WARRANTY EXPRESSED, OR IMPLIED OR STATUTORY, RESPECTING PRODUCTS, AND FUSA MAKES NO IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. THE CUSTOMER'S SOLE AND EXCLUSIVE REMEDY IN CONTRACT, TORT OR UNDER ANY OTHER THEORY AGAINST FUSA WITH RESPECT TO FRESENIUS MEDICAL CARE NORTH AMERICA PRODUCTS AND THEIR USE SHALL BE THE REPLACEMENT OR REPAIR OF THE PRODUCTS AND NO OTHER REMEDY (INCLUDING, WITHOUT LIMITATION, CONSEQUENTIAL DAMAGES) SHALL BE AVAILABLE TO CUSTOMER. FUSA SHALL HAVE NO FURTHER OBLIGATION OR LIABILITY WITH RESPECT TO THE PRODUCTS AND PARTS, OR THEIR SALE, OPERATION AND USE, AND FUSA NEITHER ASSUMES, NOR AUTHORIZES THE ASSUMPTION OF, ANY OBLIGATION OR LIABILITY IN CONNECTION WITH SUCH PRODUCTS AND PARTS.

Equipment

FUSA warrants to CUSTOMER that EQUIPMENT delivered is free from defects in material or workmanship for the periods specified in the appropriate Operator's Manual (which outlines the complete warranty), provided the EQUIPMENT is used and maintained in accordance with the manufacturer's operating instructions. Parts installed which have been purchased from vendors other than FUSA shall void all applicable warranties.

The Warranty does not apply to any equipment that is misused, abused, neglected, tampered with, damaged by accident, flood, water, fire or other hazard, subjected to abnormal or unusual electrical or fluid stress, improperly installed or operated, or not maintained in accordance with the routine maintenance schedule set forth in the Operator's and Technician's manual for the equipment. Periodic preventative maintenance required to maintain proper machine operation is not covered under the Warranty. Warranty does not provide replacement dialyzers or any other compensation during the period that CUSTOMER'S equipment is inoperative.

FUSA shall repair or replace, at its option, using new or reconditioned parts and/or subassemblies, any parts subject to this warranty that are proven defective in materials or workmanship. Such repair or replacement shall be made without cost to CUSTOMER and FUSA reserves the right to determine the location at which the repair or replacement will be accomplished.

Directory of Services

Order/Delivery Policy

All orders shall be subject to the terms and conditions of this policy and shall not be subject to the terms, conditions, or provisions of any order confirmation, except to the extent that such confirmation specifies quantities.

FUSA shall use commercially reasonable efforts to fill orders, but FUSA shall not be liable for non-performance or delays caused by a supply shortage of raw materials, manufacturing problems, delivery or labor problems, acts of regulatory agencies, discontinuation of a product line, Acts of God, or causes beyond its control. CUSTOMER agrees that in such events, FUSA may allocate PRODUCTS among all CUSTOMERS without liability.

Freight and Distribution

Published prices for DISPOSABLES include freight and distribution charges as long as the order is placed five (5) business days prior to the scheduled delivery date. All Home Hemodialysis Patient orders that are less than three hundred dollars ($300) may be subject to a delivery charge of one hundred seventy-five dollars ($175). Published prices for EQUIPMENT do not include freight and distribution charges. These charges shall be arranged and billed separately.

CUSTOMER is responsible for all freight and distribution charges for all PRODUCTS when expedited order processing and delivery is required unless specifically provided in this policy.

All shipments are considered "contiguous USA only" unless otherwise mutually agreed to in writing by CUSTOMER and FUSA.

All EQUIPMENT shall be sold FOB Walnut Creek, California. All other PRODUCT(S) sold hereunder shall be sold FOB Destination as long as the PRODUCT(S) are delivered in accordance with this policy.

PD Cycler Delivery/Pickup

A cycler delivery charge of fifty dollars ($50) will apply for new orders. Cycler pickup charge of one hundred dollars ($100) will apply.

Damaged or Lost PD Cycler

CUSTOMER assumes the entire risk of loss of or damage to the Cycler. In such cases, CUSTOMER will be invoiced a fee of six thousand dollars ($6,000) to cover the costs of such a loss. In the event the Cycler is not returned according to FUSA's Order/Delivery Policy within thirty (30) days, the fee shall be invoiced and be payable to FUSA immediately.

PD Vacation Cyclers

If CUSTOMER would like to order a Cycler for delivery to an alternative location, a two hundred fifty dollar ($250) charge will apply. All applicable Cycler delivery/shipping/pickup charges apply. If the Cycler is not returned within thirty (30) days of delivery, the Damaged or Lost Cycler fee of six thousand dollars ($6,000) will be charged.

Scheduled Deliveries

CUSTOMER and FUSA shall develop a mutually agreeable delivery schedule, and CUSTOMER'S delivery days shall be set according to such schedule. Altering this delivery schedule represents an exception and may be discussed with the FUSA Sales representative and/or Customer Service, who shall review any proposed changes with Distribution prior to making changes.

All delivery frequencies and days shall be maintained in FUSA'S transaction management system to determine if an order represents a scheduled or unscheduled delivery. All home patients shall receive a calendar indicating their ordering days and scheduled delivery days. Units/clinics may request a calendar at any time.

All orders delivered on a scheduled delivery date which are placed with Customer Service no later than five (5) business days prior to the scheduled delivery date are shipped FOB Destination. Orders may be placed by telephone, by fax, or by U.S. Mail. Upon request, all originators of faxed orders shall receive a faxed Sales Order Confirmation. Scheduled orders received or existing orders changed with less than five (5) business days prior to the scheduled delivery date may be subject to a distribution service fee of one hundred dollars ($100).

Should FUSA initiate a modification in delivery schedules due to route realignment, holiday shipping schedules, or pre-negotiated accelerated orders or special orders, CUSTOMER shall not incur freight charges for the shipment of these items, even if shipped commercially.

Directory of Services

Order/Delivery Policy, Continued

Off-Schedule Deliveries

Orders requiring off-schedule delivery shall be shipped FOB Origin. Commercially reasonable attempts shall be made to make the off-schedule delivery on the FUSA Fleet. FOB Origin deliveries made on the FUSA Fleet may be subject to a freight charge of one hundred fifty dollars ($150).

All other off-schedule deliveries shall be shipped commercial carrier, FOB Origin, and all actual incurred freight charges shall be added to the invoice. Freight charges shall be waived automatically for any off-schedule delivery due to the following:

a) Initial order for new home patients (PD and Home Hemo);

b) Training or retraining home patient supply shipments to the unit;

c) Error on the part of FUSA; or

d) Any event out of the patient's control based on the result of a change in therapy or a medical condition that requires an off-schedule delivery. This includes changes in modality, fill volumes, dextrose percentage or solution changes. Every effort should be made to minimize the amount of additional product required until the next scheduled delivery date for the patient.

Acute Hospital Freight Policies

Recognizing that acute hospitals have unique delivery and service requirements, they may select one of the following three (3) options regarding their deliveries:

a) FUSA and CUSTOMER negotiate a mutually agreeable delivery frequency but not to exceed once weekly. All shipments shall be FOB Destination.

b) Utilize a third-party distributor when delivery frequency greater than once a week is required. All fees with third-party distributor are at the CUSTOMER'S expense.

c) Orders placed and shipped as requested by the account with no pre-determined delivery schedule or frequency. All shipments shall be FOB Origin. If the delivery can be made on the FUSA Fleet, the account may be subject to a delivery fee of one hundred fifty ($150). If the delivery cannot be made on the FUSA Fleet, a common carrier shall be used, and all commercial carrier charges shall be invoiced to CUSTOMER.

Receipt and Verification

All deliveries must be verified within two (2) business days from receipt in order to receive credit for shortages or to have PRODUCT(S) replaced without incurring delivery charges. After the two (2)-day period, standard return goods policies are in effect. It is incumbent upon the clinic and patients to verify their deliveries to ensure that all items ordered and shipped are received.

Proof of Delivery

The FUSA invoice and packing list must be retained as proof of delivery. Subject to availability and within three (3) months following the date of shipment, requests for additional documentation of delivery (e.g. carrier delivery logs) may be subject to a service charge of thirty-five dollars ($35).

Directory of Services

Return Goods Policy

Due to the nature of FUSA'S PRODUCTS, the contents are subject to damage in transit to CUSTOMER. All orders must be counted and inspected for damage prior to acceptance of delivery from the carrier. Any exception should be noted on CUSTOMER'S copy of the carrier's freight bill, and the driver must countersign the freight bill. Exceptions must be reported within two (2) business days to the designated Customer Service representative in order to receive all authorized credits.

All returns must be arranged through FUSA'S Customer Service Department. Requests for return from customers must include an accurate count of product and batch number being returned and must be accompanied by matching Fresenius documentation (i.e. a counter-signed carrier's freight bill or invoice). Customer must ensure that Products are packed for shipment. All PRODUCTS returned to FUSA must have a Returned Goods Authorization (RGA) number. Any PRODUCT returned to FUSA without a corresponding RGA number shall not be credited.

Disposables

This policy applies to all DISPOSABLES originally delivered to hospitals, centers, or home patients unless otherwise indicated. DISPOSABLES must be returned in the original, unopened carton.

DISPOSABLES that have not been stored in a sanitary manner or in accordance with PRODUCT(S) storage statements cannot be returned or credited. Verification of proper storage may be required for credit.

DISPOSABLES provided at no charge are not eligible for credit, but are still subject to the terms of this Policy.

Prior notification and approval by FUSA is required to return any DISPOSABLES. Credit shall not be issued without prior notification of the return and unless returned in accordance with this policy. Approval to return DISPOSABLES does not guarantee credit. FUSA does not assume liability for DISPOSABLES returned without prior notification.

All DISPOSABLES returned to FUSA may be subject to a restocking fee of seventy-five dollars ($75) per return shipment. The only exception to the restocking fee is DISPOSABLES shipped in error by FUSA, provided the CUSTOMER reports the error within two (2) business days of delivery.

All returns must be arranged through FUSA'S Customer Service department. CUSTOMER must ensure that DISPOSABLES are packed for shipping.

DISPOSABLES shipped in error by FUSA must be reported within two (2) business days and returned within thirty (30) days of shipment to receive one hundred percent (100%) credit.

DISPOSABLES ordered in error by CUSTOMER must be reported within two (2) business days and returned within thirty (30) days of shipment to receive one hundred percent (100%) credit, with the exception of peritoneal dialysis solutions returned from home patients (which may not be returned for credit). All such returns must be arranged through FUSA'S Customer Service department, and CUSTOMER is fully responsible for all associated costs.

DISPOSABLES returned after thirty (30) days of shipment but within ninety (90) days of shipment shall be considered EXCESS STOCK. Return of EXCESS STOCK must be arranged through FUSA'S Customer Service department, and CUSTOMER is fully responsible for all associated costs. DISPOSABLES returned after ninety (90) days from shipment are not eligible for credit.

EXCESS STOCK shall be eligible for return or credit under the following circumstances:

a) EXCESS STOCK with less than three (3) months remaining to expiration may not be returned for credit.

b) EXCESS STOCK returned from a hospital or center shall be credited at fifty percent (50%).

c) EXCESS STOCK returned from HOME PATIENTS, with the exception of peritoneal dialysis solutions (which may not be returned for credit) shall be credited at fifty percent (50%) only in the instances of death, transplantation, or permanent return to center.

Directory of Services

Equipment/Spare Parts

Purchased EQUIPMENT is not returnable unless SHIPPED IN ERROR BY FUSA or ORDERED IN ERROR BY CUSTOMER. Leased, rental, trade-in, and/or evaluation equipment may be returned as governed by the terms of this policy.

All EQUIPMENT returns are at CUSTOMER'S expense, and EQUIPMENT must be in the same condition as when delivered to CUSTOMER, normal wear and tear excepted. CUSTOMER shall deliver the EQUIPMENT to such place or on board such carrier, packed for shipping, as FUSA may specify. CUSTOMER is fully responsible for return of EQUIPMENT including all associated charges with the exception of return due to equipment shipped in error by FUSA. CUSTOMER shall give FUSA prior written notice that it is returning EQUIPMENT. Any/all credits are subject to final credit approval.

Due to the nature of FUSA'S PRODUCTS, the contents are subject to damage in transit to CUSTOMER. All orders must be counted and inspected for damage prior to acceptance of delivery from the carrier. Any exception should be noted on CUSTOMER'S copy of the carrier's freight bill, and the driver must countersign the freight bill. Exceptions must be reported within two (2) business days to the designated Customer Service representative in order to receive all authorized credits.

Exchangeable parts must be returned to FUSA within ninety (90) days of purchase date to receive proper credit. Parts must be repairable and/or reusable. An RGA number must be requested at the time of the purchase or within ninety (90) days of the purchase. Parts returned after ninety (90) days shall not be credited, and the associated RGA form shall be canceled. Return freight charges are the responsibility of CUSTOMER.

Warranty Parts: Defective parts must be returned to FUSA within thirty (30) days of CUSTOMER'S receipt of replacement part to receive proper credit. To place an order for a replacement part under parts warranty, CUSTOMER must supply the serial number of the machine, purchase order number, invoice number, or order number under which the part was originally purchased at the time the order is placed. An RGA shall be issued at the time the order is placed for the defective part. If the defective part is not returned within thirty (30) days from the date of the RGA, CUSTOMER agrees to pay for the replaced part at list price. Returned parts that are not actually under warranty, based on the manufacture date, shall also be invoiced at list price. All warranties in this policy shall be construed to comply with the Warranty Safe Harbor found at 42 C.F.R. 1001.952(g).

Each part returned to FUSA must have a corresponding Material Travel Tag completed and attached securely to the part. If either the Material Travel Tag or the RGA form is not enclosed with the replacement part(s), CUSTOMER must contact the Parts Customer Service Department to obtain the RGA number to be recorded on the Material Traveler Tag.

Spare parts ordered by CUSTOMER may be subject to a restocking fee of twenty percent (20%). Return freight charges are the responsibility of CUSTOMER. CUSTOMER must request an RGA from the Parts Customer Service Department to return items.

Directory of Services

Billing Information

Terms of Sale
All orders are subject to credit approval and acceptance by FUSA.

Payment terms stated on the invoice are those in effect as of the date of the order. Subject to change, sales are made by Fresenius USA Marketing, Inc. Upon request, CUSTOMER shall supply the following financial information certified by an independent certified public accountant: Complete fiscal financial statements (within ninety (90) days of the close of CUSTOMER'S fiscal year) and quarterly unaudited balance sheet and income statement (within forty-five (45) days of CUSTOMER'S quarterly close).

Cash discounts, if applicable, will only be allowed on that portion of each invoice paid within the discount period.

Invoices which are not paid according to the terms of the sale are subject to a late payment charge. Additionally, FUSA reserves the right to require payment in advance of shipment if CUSTOMER is delinquent in its payment for past purchases.

Payment must be made within the terms of the sale.

Prices
PRODUCTS are priced at the amount indicated for the selling unit of measure ordered. Prices and specifications are subject to change without notice. All items priced at current price as of invoice date.

EQUIPMENT service will be performed during normal business hours at a standard labor rate. EQUIPMENT service performed after normal business hours, on weekends, and holidays will be charged at a premium labor rate. Travel and other expenses may apply.

Published prices are exclusive of all taxes. Customer shall be responsible for payment of all applicable state and local sales, use, and/or gross receipt tax resulting from transactions with Fresenius regardless of placement of liability for the tax by the law.

Discount Disclosure Statement
Prices invoiced for the goods purchased reflect any negotiated discounts, and rebates may apply to purchases. Any discounts, rebates or deductions from FUSA'S list price or other concessions received by CUSTOMER from FUSA are "Discounts or Other Reductions in Price" under 42 U.S.C. § 1320a-7b(b)(3)(A). The parties shall comply with all laws and regulations (including 42 C.F.R. 1001.952(h)) regarding reporting of any discount, rebate, or other concession in the fiscal year of the CUSTOMER in which it was earned or the year after, and report any discount, rebate, or other concession, consistent with applicable rules. FUSA shall provide additional information requested by the applicable Medicare or state health care program to assist CUSTOMER in meeting its reporting requirement.

Invoices
PRODUCT is billed after it is shipped. The invoice reflects the product code, description, price, and, if applicable, freight, handling, and tax. The invoice number, date, and remittance address are located on the invoice.

Statements
Statements of Account are issued monthly. Statements identify all open items. All past due balances not in dispute must be remitted immediately.

Credit and Disputes
Only amounts which are disputed in good faith may be withheld pending resolution. Any portion of an invoice not in dispute must be remitted within the terms of the sale Invoices in dispute must be resolved with the Accounts Receivable Department.

Directory of Services

Important Telephone Numbers

Customer Service/Order Entry – Disposables

Address: 1586 Lakeside Dr
Waukegan, IL 60085
Telephone: 800-323-5188
Fax: 781-372-9559

When ordering, please include the following information:
- Account Number
- Hospital or Center Name
- Complete Delivery Address
- Requested Delivery Date
- Purchase Order Number
- Contact Name
- Contact Telephone Number

Customer Service/Order Entry - Parts and Service

(Includes repair, technical support and training inquiries)

Address: 2637 Shadelands Dr
Walnut Creek, CA 94598
Telephone: 800-227-2572
Fax: 925-988-1969

When ordering, please include the following information:
- Account Number
- Hospital or Center Name
- Complete Delivery Address
- Requested Delivery Date
- Purchase Order Number
- Contact Name and Telephone Number

Customer Service/Order Entry - Equipment

Address: 920 Winter Street
Waltham, MA 02451
Telephone: 800-662-1237 X4589
Fax: 781-699-9735
E-Mail Address: Equipment.Orders@fmc-na.com

When ordering, please include the following information:
- Account Number
- Hospital or Center Name
- Complete Delivery Address
- Requested Delivery Date
- Purchase Order Number
- Purchase, Lease or Rental
- New or Refurbished
- Contact Name and Telephone Number

Clinical Support: Peritoneal Dialysis
Telephone: 800-662-1237

Professional Services, Quality Systems
(Includes product problems, complaints)
Telephone: 877-727-4827

Quality Assurance
Telephone: 800-662-1237

Accounts Receivable Inquiries
Telephone: 800-662-1237
Fax: 781-699-9065
(Includes invoice and statement inquiries)

Credit Inquiries
Telephone: 800-662-1237
Fax: 781-699-9087

Sales/Clinical Specialist Voice Mail Center
Telephone: 800-662-1237

After Hours Technical Support: Equipment
Telephone: 800-227-2572

Emergency Customer Service - Disposable Products
Telephone: 800-323-5188

Hemodialysis Systems

2008® Series Hemodialysis Machines

2008K²	Diasafe Plus	Online Clearance	5th Module	Part Number
2008T w/enhancement	x	x		190713
2008T w/bibag	x	x		190766
2008K²	x	x		190610
		x		190628
	x	x	x	190633
2008K² (short cabinet)	x	x		190630
2008K² (Spanish)	x	x		190618

Hemodialysis Systems

2008® Series Hemodialysis Machine Options

	2008K²		2008T	Part Number
Options				
Blood Temperature Monitor (BTM)	x			190240
Blood Volume Monitor (BVM)	x			M31909
Single-Needle Pump	x			190381
CRRT (2008K²)	x			190354
5th Module Holder	x			190277
Red Status Light	x			190326
Integrated Auto Disinfect				190679

Upgrade Kits	2008K²	2008K	2008T	Part Number
Blood Temperature Monitor (BTM)	x	x	x	190240
Blood Volume Monitor (BVM)	x	x	x	M31909
Single-Needle Pump	x		x	190381
CRRT (2008K², 2008K)	x	x		190354
CRRT (2008H)			x	190178
Diasafe Plus		x		190365
Diasafe			x	190148
Online Clearance		x	x	190142
Red Status Light	x	x	x	190326
Acute Wheel Package	x	x	x	150105
bi*bag* Install Kit			x	190698

Diasafe® Filters		2008K²	2008K	2008T	Part Number
Diasafe	(12/case)		x	x	0500420D
Diasafe Plus	(10/case)	x	x	x	500820

Hemodialysis Systems

2008® Series Hemodialysis Machine Accessories

Water Treatment Systems

AquaBoss® Reverse Osmosis (RO) Water Treatment System

Part Number	Description
370053	AquaBoss RO System for use with 2008H, 2008K, 2008K^2 or 2008T Hemodialysis System
190443	AquaDock docking cart for use with AquaBoss RO and 2008H, 2008K, or 2008K^2 Hemodialysis System
190498	AquaBoss Install Kit
370052-01	Carbon Exchange Tank (0.6 CFT)

F801 and Millenium Reverse Osmosis (RO) Water Treatment Systems

Z3024297	Millenium M-750 RO System with Docking Station for use with 2008H, 2008K or 2008K^2 Hemodialysis System
Z3024296	Millenium M-750 RO System with free-standing M2 cart for use with 2008H, 2008K, or 2008K^2 Hemodialysis System
337004-04	Carbon Tank with Fittings (0.85 CFT)
Z12257	Carbon Exchange Tank w/o fittings (0.85 CFT)
Z12258-10	Semi-Auto Softener 7.5K Grain

Hemodialysis Disposables

Fresenius Polysulfone® Dialyzers

Product	Part Number	Unit	Quantity/Case
Low Volume			
F3	0520165A	case	15/case
F4	0520161A	case	15/case
Low Flux (multiple-use labeled)			
F5	0500162R	case	12/case
F6	0500145A	case	12/case
F8	0500164A	case	12/case
High Flux (multiple-use labeled)			
F60A	0500136A	case	12/case
F80A	0500154A	case	12/case
Optiflux F180A	0500318A	case	12/case
Optiflux F180B	0500318B	case	12/case
Optiflux F200A	0500320A	case	12/case

Product	Part Number	Unit	Quantity/Case
Low Flux (single-use labeled)			
Optiflux 16NR	0500306E	case	12/case
Optiflux 18NR	0500308E	case	12/case
Optiflux 20NR	0500312E	case	12/case
High Flux (single-use labeled)			
F50NRe	0500255N	case	12/case
Optiflux F160NRe	0500316E	case	12/case
Optiflux F180NRe	0500318E	case	12/case
Optiflux F200NRe	0500320E	case	12/case
Optiflux F250NRe	0500325E	case	12/case
AV Filters			
AV 400	5007341	case	12/case
AV 600	5007361	case	12/case

Hemodialysis Disposables

CombiSet® Bloodlines – Includes split-septum injection site, viral-retentive transducer protectors, & priming set. 24 sets / case, pump segment length 14 inches.

Part Number	Pump Segment (mm)	Arterial Chamber	Arterial Priming Volume (cc)	Venous Priming Volume (cc)
03-2603-3	8	Post-Pump	80	60
03-2621-5 Fresenius 2008	8	Post-Pump	78	60
03-2622-3 Fresenius 2008	8	Pre-Pump	82	60
03-2623-1	8	Pre-Pump Pillow	55	60
03-2624-9	8	None	54	60
03-2630-6 Fresenius 2008	6.35	Pre-Pump	76	60
03-2631-4 Fresenius 2008	6.35	Post-Pump	71	60
03-2632-2	8	Post-Pump	83	60
03-2922-7	8	Pre-Pump	85	60
Bonded CombiSets - includes priming set w/ needle-less access port & Y-injection site bonded to arterial line, viral-retentive transducers 24 sets/cs				
03-2722-9 Fresenius 2008	8	Pre-Pump	82	60
03-2732-7	8	Post-Pump	83	60
03-2742-9 Fresenius 2008, no heparin line	8	Pre-Pump	82	60
03-2794-0 Fresenius 2008 with Twister reverse flow device	8	Pre-Pump	82	60
03-2795-7 Fresenius 2008 BVM (adult)	8	Pre-Pump	86	60
Low-Volume (Pediatric & CRRT) CombiSet Bloodlines, 12 sets/case				
03-2692-6 Fresenius 2008 Low-volume	6.35	Pre-Pump	45	33
03-2698-3 Fresenius 2008 BVM Low-volume	6.35	Pre-Pump	51	33
Specialty CombiSets, 24 sets /case				
03-2695-9 Fresenius 2008 BVM (adult)	8	Pre-Pump	86	60
03-2962-3 Fresenius 2008 Home Hemo w/ prime bag	8	Pre-Pump	78	56
03-2696-7 Single Needle	8	Pre-Pump	125	60

Hemodialysis Disposables

CombiSet® Bloodlines – Continued

Part Number	
Fresenius Single Venous Bloodline, 24 each/case	
03-7317-5	Fresenius 2008 Series
Dialysis Priming Set, 100 each/case	
04-9006-5	With needleless access port, luer-lock
Transducer Protector, 100 each/bag	
04-9500-2	Viral-retentive membrane, double luer-lock
Recirculation Connector, 200 ea/case	
04-9202-8	Sterile, individually wrapped
Fresenius HemaClip Bloodline Connector Clip, 400 ea/bag	
04-9100-1	For use only with Fresenius CombiSet® bloodlines

Hemodialysis Disposables

Safety Fistula Needles

Part Number	Quantity / Box	Gauge	Wing	Cannula	Tubing Length	Clamp	Cannula Length (inch)
JMS Twin Packs WingEater®							
820-2402	40 pr or 80 ea	14	Fix	A-BE, V-Reg	12	A-Red, V-Blue	1
820-2531	40 pr or 80 ea	15	Fix	A-BE, V-Reg	12	A-Red, V-Blue	1
820-2632	40 pr or 80 ea	16	Fix	A-BE, V-Reg	12	A-Red, V-Blue	1
820-2717	40 pr or 80 ea	17	Fix	A-BE, V-Reg	12	A-Red, V-Blue	1
JMS Single Pack SysLoc®							
824-1502	50 ea	15	RH	Backeye	12	Yes	1.25
824-1602	50 ea	16	RH	Backeye	12	Yes	1.25
JMS Single Pack SysLoc Mini®							
864-1400-33	300 ea	14	RH	Backeye	12	Yes	1
864-1500-33	300 ea	15	RH	Backeye	12	Yes	1
864-1600-33	300 ea	16	RH	Backeye	12	Yes	1
864-1700-33	300 ea	17	RH	Backeye	12	Yes	1
JMS Single Pack WingEater®							
820-1476	50 ea	14	Fix	Backeye	12	Yes	1
820-5002	50 ea	15	Fix	Backeye	12	Yes	1
820-6013	50 ea	16	Fix	Backeye	12	Yes	1
820-7001	50 ea	17	Fix	Backeye	12	Yes	1
820-5006	50 ea	15	Fix	Backeye	12	Yes	1.25
820-6014	50 ea	16	Fix	Backeye	12	Yes	1.25
820-7005	50 ea	17	Fix	Backeye	12	Yes	1.25

Hemodialysis Disposables

Safety Fistula Needles – Continued

Part Number	Quantity / Box	Gauge	Wing	Cannula	Tubing Length	Clamp	Cannula Length (inch)
Nipro Safe Touch II							
FS-142530BC	50 ea	14	Fix	Backeye	12	Yes	1
FS-152530BC	50 ea	15	Fix	Backeye	12	Yes	1
FS-162530BC	50 ea	16	Fix	Backeye	12	Yes	1
FS-172530BC	50 ea	17	Fix	Backeye	12	Yes	1
MediSystems SteriPick ButtonHole							
09-2004-0	250 ea	14	Fix	Backeye	12	Yes	1
09-2005-0	250 ea	15	Fix	Backeye	12	Yes	1
09-2006-0	250 ea	16	Fix	Backeye	12	Yes	1
09-2007-0	250 ea	17	Fix	Backeye	12	Yes	1
Medisytems Buttonhole Without Steripick							
09-7005-0	250 ea	15	Fix	Backeye	12	Yes	1

Non-Safety Fistula Needles

Part Number	Quantity / Box	Gauge	Wing	Cannula	Tubing Length	Clamp	Cannula Length (inch)
JMS Single Pack Non-Safety							
820-3500	50 ea	15	Fix	Backeye	4	Single Needle, No	1
820-1469	50 ea	14	Fix	Backeye	12	Yes	1
820-1587	50 ea	15	Fix	Backeye	12	Yes	1
820-1678	50 ea	16	Fix	Backeye	12	Yes	1
820-1722	50 ea	17	Fix	Backeye	12	Yes	1
820-1590	50 ea	15	Fix	Backeye	12	Yes	1.25
820-1563	50 ea	15	Fix	Regular	12	Yes	1
820-1663	50 ea	16	Fix	Regular	12	Yes	1
820-1645	50 ea	16	Fix	Backeye	6	Yes	1
823-1501	50 ea	15	RH	Backeye	12	Yes	1
823-1601	50 ea	16	RH	Backeye	12	Yes	1
823-1701	50 ea	17	RH	Backeye	12	Yes	1
Medisystems Medic® Plastic Needle							
M8-5007	1000 ea / box						

Hemodialysis Disposables

Saline/Chemicals/Tests

FMC-NA Code	Description	Package Size
Saline		
06-2322-3	0.9% NS Hospira 250 ml	24 bags/cs
06-2323-1	0.9% NS Hospira 500 ml	24 bags/cs
060-10109	0.9% NS FMC 1000 ml	12 bags/cs
Chemicals		
28-1335-7	Sodium Hypochlorite (Bleach) Gallons	6/case
28-0127-2	Formaldehyde, 37%, with 15% Methanol	4/case
28-0527-3	White Vinegar 5%-6% Acidity	4/case
28-8435-1	Puristeril® 340 Cont-2 2.5g/cs	2/case
28-8436-9	Puristeril® 340 Cont-6 2-Liter/case	6/case
Tests		
24-1905-1	Peroxide Residual Test Strips	5 bottles/box
24-1906-9	Peracetic Acid Potency Strips	6 bottles/box
24-0385-5	Nephretect Residual #5000	360 ea/cs

Hemodialysis Disposables

NaturaLyte® Liquid Acid Concentrates - Cases

FMC-NA — NaturaLyte® 4000 Series Acid Concentrate

Part Number	Description	Na (mEq/L)	K (mEq/L)	Ca (mEq/L)	Mg (mEq/L)	Cl (mEq/L)	Acetate (mEq/L)	Dextrose (mg/dL)
08-0231-4	NATURALYTE 0231 0K 2.25Ca 1Mg GAL	100	0	2.25	1.0	103.25	4.0	100
08-1001-0	NATURALYTE 1001 1K 0.0Ca 1Mg GAL	100	1	0.00	1.0	102.00	4.0	100
08-1201-8	NATURALYTE 1201 1K 2.0Ca 1Mg GAL	100	1	2.00	1.0	104.00	4.0	100
08-1231-3	NATURALYTE 1231 1K 2.25Ca 1Mg GAL	100	1	2.25	1.0	104.25	4.0	100
08-1251-1	NATURALYTE 1251 1K 2.5Ca 1Mg GAL	100	1	2.50	1.0	104.50	4.0	100
08-1301-4	NATURALYTE 1301 1K 3.0Ca 1Mg GAL	100	1	3.00	1.0	105.00	4.0	100
08-2201-5	NATURALYTE 2201 2K 2.0Ca 1Mg GAL	100	2	2.00	1.0	105.00	4.0	100
08-2231-2	NATURALYTE 2231 2K 2.25Ca 1Mg GAL	100	2	2.25	1.0	105.25	4.0	100
08-2251-0	NATURALYTE 2251 2K 2.5Ca 1Mg GAL	100	2	2.50	1.0	105.50	4.0	100
08-2301-3	NATURALYTE 2301 2K 3.0Ca 1Mg GAL	100	2	3.00	1.0	106.00	4.0	100
08-2351-8	NATURALYTE 2351 2K 3.5Ca 1Mg GAL	100	2	3.50	1.0	106.50	4.0	100
08-3201-4	NATURALYTE 3201 3K 2.0Ca 1Mg GAL	100	3	2.00	1.0	106.00	4.0	100
08-3231-1	NATURALYTE 3231 3K 2.25Ca 1Mg GAL	100	3	2.25	1.0	106.25	4.0	100
08-3251-9	NATURALYTE 3251 3K 2.5Ca 1Mg GAL	100	3	2.50	1.0	106.50	4.0	100
08-3301-2	NATURALYTE 3301 3K 3.0Ca 1Mg GAL	100	3	3.00	1.0	107.00	4.0	100
08-4231-0	NATURALYTE 4231 4K 2.25Ca 1Mg GAL	100	4	2.25	1.0	107.25	4.0	100

Citrasate® Citric Acid Concentrate - Cases

Part Number	Description	Na (mEq/L)	K (mEq/L)	Ca (mEq/L)	Mg (mEq/L)	Cl (mEq/L)	Citrate (mEq/L)	Acetate (mEq/L)	Dextrose (mg/dL)
08-1251-CA	CITRASATE 4 GAL/CASE 1K, 2.50 Ca, 1 Mg	100.3	1	2.50	1.0	104.50	2.4	0.3	100
08-2251-CA	CITRASATE 4 GAL/CASE 2K, 2.50 Ca, 1 Mg	100.3	2	2.50	1.0	105.50	2.4	0.3	100
08-3251-CA	CITRASATE 4 GAL/CASE 3K, 2.50 Ca, 1 Mg	100.3	3	2.50	1.0	106.50	2.4	0.3	100

Formulas are expressed as acid portions only prior to the addition and reaction of NaturaLyte bicarbonate 4000 series or equivalent. For use with hemodialysis equipment capable of calibration for a mix ratio of 1:44 (also expressed 45X or 1:1.72:42.28). Naturalyte packaging is four bottles per case, 3.43 liters per bottle. Citrasate packaging is four bottles per case, 3.78 liters per bottle. Federal law (USA) restricts the sale by or on the order of a physician.

Note: This information is intended to be used as a quick reference guide only. Please refer to the instructions for use for detailed information on device description, instructions, contra-indications, warnings, and precautions.

Hemodialysis Disposables

NaturaLyte® Liquid Acid Concentrates - Drums

FMC-NA — NaturaLyte 4000 Series Acid Concentrate

Part Number	Description	Na (mEq/L)	K (mEq/L)	Ca (mEq/L)	Mg (mEq/L)	Cl (mEq/L)	Acetate (mEq/L)	Dextrose (mg/dL)
13-1251-1	NATURALYTE 1251 1K 2.50Ca 1Mg 55GAL	100	1	2.50	1.0	104.50	4.0	100
13-2201-5	NATURALYTE 2201 2K 2.00Ca 1Mg 55GAL	100	2	2.00	1.0	105.00	4.0	100
13-2231-2	NATURALYTE 2231 2K 2.25Ca 1Mg 55GAL	100	2	2.25	1.0	105.25	4.0	100
13-2251-0	NATURALYTE 2251 2K 2.50Ca 1Mg 55GAL	100	2	2.50	1.0	105.50	4.0	100
13-3231-1	NATURALYTE 3231 3K 2.25Ca 1Mg 55GAL	100	3	2.25	1.0	106.25	4.0	100
13-3251-9	NATURALYTE 3251 3K 2.50Ca 1Mg 55GAL	100	3	2.50	1.0	106.50	4.0	100

Citrasate® Citric Acid Concentrates - Drums

Part Number	Description	Na (mEq/L)	K (mEq/L)	Ca (mEq/L)	Mg (mEq/L)	Cl (mEq/L)	Citrate (mEq/L)	Acetate (mEq/L)	Dextrose (mg/dL)
13-1251-CA	Citrasate 1K 2.50Ca 1Mg 55GAL	100.3	1	2.50	1.0	104.50	2.4	0.3	100
13-2251-CA	Citrasate 2K 2.50Ca 1Mg 55GAL	100.3	2	2.50	1.0	105.50	2.4	0.3	100
13-3251-CA	Citrasate 3K 2.50Ca 1Mg 55GAL	100.3	3	2.50	1.0	106.50	2.4	0.3	100

Formulas are expressed as acid portion only prior to the addition and reaction of NaturaLyte bicarbonate 4000 series or equivalent. For use with hemodialysis equipment capable of calibration for a mix ratio of 1:44 (also expressed 45X or 1:1.72:42.28). Packaging is 55 gallons per drum. Federal law (USA) restricts the sale by or on the order of a physician.

Note: This information is intended to be used as a quick reference guide only. Please refer to the instructions for use for detailed information on device description, instructions, contra-indications, warnings, and precautions.

Hemodialysis Disposables

Granuflo® 2400 Series Dry Acid Concentrate

Part Number	Description	Na (mEq/L)	K (mEq/L)	Ca (mEq/L)	Mg (mEq/L)	Cl (mEq/L)	Acetate (mEq/L)	Dextrose (mg/dL)
0FD1201-3B	GRANUFLO 1201 1K 2.0Ca 1Mg 16.5 GA	100	1	2.00	1.0	100.00	8.0	100
0FD1251-3B	GRANUFLO 1251 1K 2.5Ca 1Mg 16.5 GA	100	1	2.50	1.0	100.50	8.0	100
0FD2201-3B	GRANUFLO 2201 2K 2.0Ca 1Mg 16.5 GA	100	2	2.20	1.0	101.00	8.0	100
0FD2231-3B	GRANUFLO 2231 2K 2.25Ca 1Mg 16.5 GA	100	2	2.25	1.0	101.25	8.0	100
0FD2251-3B	GRANUFLO 2251 2K 2.5Ca 1Mg 16.5 GA	100	2	2.50	1.0	101.50	8.0	100
OFD2301-3B	GRANUFLO 2301 2K 3.0Ca 1Mg 16.5 GA	100	2	3.00	1.0	102.00	8.0	100
0FD3201-3B	GRANUFLO 3201 3K 2.0Ca 1Mg 16.5 GA	100	3	2.00	1.0	102.00	8.0	100
0FD3231-3B	GRANUFLO 3231 3K 2.25Ca 1Mg 16.5 GA	100	3	2.25	1.0	102.25	8.0	100
0FD3251-3B	GRANUFLO 3251 3K 2.5Ca 1Mg 16.5 GA	100	3	2.50	1.0	102.50	8.0	100
0FD3301-3B	GRANUFLO 3301 3K 3.0Ca 1Mg 16.5 GA	100	3	3.00	1.0	103.00	8.0	100

Formulas are expressed as acid portion only prior to the addition and reaction of Naturalyte bicarbonate Concentrte or equivalent. For use with hemodialysis equipment capable of calibration for a mix ratio of 1:44 (also expressed as 45X or 1:1.72:42.28). Federal law (USA) restricts the sale by or on the order of a physician. Series 2400 Dry Acid Concentrate yields 16.5 gallons per case. Granuflo Acetate is sodium acetate 4.0 mEq/L and acetic acid 4.0 mEq/L.

Note: This information is intended to be used as a quick reference guide only. Please refer to the instructions for use for detailed information on device description, instructions, contra-indications, warnings, and precautions.

Hemodialysis Disposables

NaturaLyte® Bicarbonate Concentrate

NaturaLyte® 4000 Series Bicarbonate Concentrate

Part Number	Description	Packaging	Contents
08-4400-1	NATURALYTE BICARB - CARTONS	12 CARTONS/CASE 1 CARTON YIELDS 2.1 GALLONS	 650 gm Sodium Bicarbonate/carton
08-4110-6	NATURALYTE BICARB - BAG - Rx 10	1 BAG YIELDS 15.85 GALLONS	4,875 gm Sodium Bicarbonate/bag
08-4112-2	NATURALYTE BICARB - BAG - Rx12	1 BAG YIELDS 25.4 GALLONS (96L)	7, 800 gm Sodium Bicarbonate/bag
08-4000-LB	NATURALYTE BICARB - LIQUID	3 BOTTLES/CASE 1 BOTTLE CONTAINS 1.7 GALLONS (6.4 L)	 81.25 gm/L Sodium Bicarbonate

For use with hemodialysis equipment calibrated to proportion at a ratio of 1:1.72:28 (ratios expressed also as 1:25.16 or 45X) Chemical composition dissolved: Sodium Bicarbonate 81.25 g/l. Sodium 37 mEq/L, Bicarbonate 37 mEq/L before reaction. Federal law (USA) restricts the sale by or on the order of a physician.

bibag™ On-line Dry Bicarbonate Concentrate

Part Number	Description	Packaging	Contents
08-4078-BB	650gm BIBAG BICARB	16 BAGS/CASE	650gm Sodium Bicarbonate

Crit-Line Patient Monitoring

Crit-Line III Monitor

- Monitor vascular refilling
- Real-time hematocrit measurements
- Continuous oxygen saturation monitoring
- Use with Crit-Line Blood Chamber

Part Number	Description	Package Size
32-0150-R	Crit-Line III Monitor	each
32-02140-R	Crit-Line Blood Chamber	36 / box

Peritoneal Dialysis

APD Machines and Disposables

Liberty® Cycler

- Streamlined and ergonomic design for home use
- Dynamic pumping technology for fast fill and drain times
- Easy to use with large, color touch screen
- Compatible with stay-safe® connectology

Part Number	Description
180020	Liberty Cycler
180080	Liberty Cycler Cart
365070-09	Liberty Cycler Suitcase
480019	Liberty Cycler Operator's Manual (Spanish)
480017	Liberty Handi-Guide Booklet (English)
480018	Liberty Handi-Guide Booklet (Spanish)
480015	Liberty Initiating Treatment Procedure Card (English)
480016	Liberty Initiating Treatment Procedure Card (Spanish)
480014	Liberty Cycler Cart Assemby Procedure Card (Bilingual/Englsh & Spanish)
480011	Liberty Cycler Box Label

Liberty® Cycler Tubing Sets and Drain Bags

Part Number	Description	Package Size
050-87212	Liberty Cycler Set - Dual Patient Connector	10/cs
050-87215	Liberty Cycler Set - Single Patient Connector	10/cs
050-87216	Liberty Cycler Set - Single Patient Connector/Extended Patient and Drain Line	10/cs
026-20036	Liberty Drain Line	10/cs
026-20226	Liberty Drain Set w/ 4-5L bags	10/cs

Peritoneal Dialysis

APD Machines and Disposables

Newton IQ® Cycler

- Auto flush before fill
- Auto pump to drain
- Increased fill volume (4L)
- Prescription upload feature

Part Number	Description
181-60300	Newton IQ Cycler w/Stand
470203	Newton IQ Operator Instruction Manual

Newton IQ® Tubing Sets and Drain Bags

- Compatible with all Delflex solution containers.
- Available with stay•safe patient connectors.
- Available with Safe-Lock patient connectors.

Part Number	Description	Package Size
050-87207	Newton IQ Cycler Set w/ 2, Safe-Lock connectors	10/cs
050-87208	Newton IQ Cycler Set w/ 2, PIN Technology connectors	10/cs
050-87211	Newton IQ Cycler Set w/ 1, PIN Technology connectors	10/cs
026-20028	Newton IQ 20 ft. Drain Line	10/cs
026-20222	Cycler Drain Set (for Freedom or Newton Cyclers)	10/cs
026-20224	Cycler Drain Set (for Freedom or Newton Cyclers)	10/cs
026-20225	Cycler Drain Set (for Freedom or Newton Cyclers)	10/cs

Peritoneal Dialysis

APD Machines and Disposables

Freedom® Cycler System

- **High volume capability using the IV pole feature**
- **Adult and pediatric tubing sets**

Part Number	Description
181-70200	Freedom Cycler with Stand
470167	Freedom Cycler Operator Instruction Manual
181-70213	IV Pole Assembly (use w/ 5 or 6 prong tubing sets)
170282	Acute stand w/3 heights, max. increase 11"

Freedom® Cycler System

- **Compatible with all Delflex® solution containers**
- **Available with Safe-Lock® patient connectors.**

Part Number	Description	Package Size
020-11205	5 Lead Safe-Lock Cycler Set (High Volume/Acute Cycler Set)	10/cs
050-12205	5 Lead Safe-Lock Pediatric Cycler Set	10/cs
050-87103	3 Lead ECO® Set with 2 pre-filled connectors	30/cs
050-87204	4 Lead ECO® Set with 2 pre-filled connectors	30/cs
026-20222	ECO Starter Drain Set (for Freedom Cycler) w/2 5L Bags	10/cs
026-20223	ECO® Starter Drain Set w/3 5 Liter Bags	10/cs
026-20224	Cycler Drain Set (for Freedom Cycler) w/4 5L Bags	10/cs
026-20225	Cycler Drain Set (for Freedom Cycler) w/2 7L Bags	10/cs

Peritoneal Dialysis

CAPD Systems

stay safe® Extension Sets and Ancillary Products

Part Number	Description	Package Size
050-95001	12 " stay•safe Extension Set (For use with Safe-Lock catheter adapter)	Each
050-95002	18" stay•safe Extension Set (For use with Safe-Lock catheter adapter)	Each
050-95013	6" stay•safe Extension Set (For use with luer-lock catheter adapter)	Each
050-95014	6" stay•safe Extension Set (For use with Safe-Lock catheter adapter)	Each
050-95004	12 " stay•safe Extension Set (For use with luer-lock catheter adapter)	Each
050-95005	18" stay•safe Extension Set (For use with luer-lock catheter adapter)	Each
050-50758	Multiple tubing segment set with 2 stay•safe PIN connectors	Each

Ancillaries for use with the stay•safe

Part Number	Description	Package Size
050-95012	stay•safe Caps	40/box
030-10807	stay•safe Organizer	Each
030-10808	stay•safe Organizer Holder (for using Organizer on IV pole)	Each
030-10809	stay•safe Organizer APD Adapter (for using Organizer w/cycler set)	Each
030-10810	stay•safe Handi-Tool (assist tool for dexterity issues)	Each
050-95003	stay•safe to luer-lock Adapter	Each
050-95006	stay•safe to Safe-Lock® Adapter	Each

Peritoneal Dialysis

CAPD Systems

Safe-Lock® System Extension Sets and Catheter Adapters

Part Number	Description	Package Size
	• Extension sets compatible with Safe-Lock	
050-30027	Catheter Extension 8"	Each
050-30029	Catheter Extension 8" w/ roller clamp	Each
050-30035	8" Premier Extension Set w/ Safe-Lock Patient Connector	Each
	• Extension sets for luer-lock catheter adapters	
050-40026	Convertible Extension 4"	Each
050-30030	Convertible Extension 6" w/roller clamp	Each
050-30034	8" Premier Transfer Set w/ Luer Patient Connector	Each
	• Extension sets for luer-lock catheter adapters	
050-75000	Safe-Lock Catheter Adapter Type II, Co-Pak (contains adapter, wrench, and sealing cap)	Each
050-75001	Safe-Lock Catheter Adapter Type I, Co-Pak (contains adapter and sealing cap)	Each

Peritoneal Dialysis

Ancillary Products for Cycling and Acute Systems

Safe-Lock® System Extension Sets and Catheter Adapters

• Ancillaries for Snap disconnect

Part Number	Description	Package Size
029-03001	Del-Clamp®	30/bag
35-4402	Premier Clamp	Each
050-50757	Multi-tubing Segment w/2 Prefilled Connectors	10/cs
050-50755	Multi-tubing Segment w/4 Prefilled Connectors	10/cs

• Ancillaries for 'cap-off' procedure

Part Number	Description	Package Size
050-30032	Premier Cap (sealing cap with iodine gel)	30/box

Peritoneal Dialysis

Ancillary Products for Cycling and Acute Systems

Safe-Lock® Ancillary Products

- **Additional ancillaries used with Safe-Lock**

Part Number	Description	Package Size
050-63297	Super Klip™	Each
030-10902	Universal Cone Breaker	Each
050-28255	Over-The-Door-Hook	Each
050-40221	Extra Capacity Solution Container (3L bag w/ Safe-Lock connector)	Each
36-8008-9	Ohaus Spring Scale	Each
050-30025	Transfer Set Sealing Cap	Each
050-30026	Universal Connector (Adapt Safe-Lock connector to luer-lock)	Each
050-30031	Universal Connector, Prefilled	10/cs
050-30037	Fresenius Smart™ Cap (Compatible with luer-lock adapters and Universal Connector)	50/cs
050-75400	Safe-Lock to Spike Adapter (Converts Safe-Lock connector to spike)	Each
050-40033	Spike to Safe-Lock Adapter (Converts spike to Safe-Lock connector)	50/cs
050-40391	Safe-Lock Convertible Adapter	Each

Peritoneal Dialysis

Ancillary Products for Cycling and Acute Systems

Safe-Lock® Ancillary Products and Y-Set

- **Additional ancillaries used with Safe-Lock**

Part Number	Description	Package Size
050-30024	Catheter Adapter Sealing Cap	Each

Acute Peritoneal Dialysis Systems

Manual Administration Sets and Manifolds

Part Number	Description	Package Size
020-11008	8 Lead Safe-Lock® Manifold Set w/ Safe-Lock CAPD Transfer Set Connector	10/cs

Additional Acute Dialysis Supplies

42-4906-0	Adult Trocath Tray w/Y-Set	Each
30-2100-3	PD Catheter Repair Kit	Each
30-8070-2	Glue for PD Catheter Repair Kit	Each

PD Catheter Adapters, Caps and Ancillaries

050-75000	Safe-Lock Catheter Adapter Type II, Co-Pak	Each
050-75001	Safe-Lock Catheter Adapter Type I, Co-Pak	Each
050-30032	Premier Cap (sealing cap w/iodine gel)	30/box
30-0661-6	Quinton luer-lock catheter adapter	25/pk

Peritoneal Dialysis

Ancillary Products for Cycling and Acute Systems

Patient Connections

Part Number	Description	Package Size
050-30026	Universal Connector (Safe-Lock® patient connector; compatible w/luer-lock or friction-fit tubing sets)	Each
050-30031	Prefilled Universal Connector (Safe-Lock patient connector w/ iodine gel; compatible w/luer-lock or friction-fit tubing sets)	10/box
050-40391	Convertible Adapter (Luer patient connection; compatible w/Safe-Lock tubing sets)	Each
050-40026	Convertible Extension 4" (Luer patient connection; compatible w/Safe-Lock tubing sets)	Each
050-30030	Convertible Extension 6" w/roller clamp (Luer patient connection; compatible w/Safe-Lock tubing sets)	Each
050-30034	8" Premier Transfer Set w/ Luer Patient Connector (Luer patient connector; compatible with Safe-Lock tubing sets)	Each

Bag Connections

Part Number	Description	Package Size
050-75400	Safe-Lock Spike Transfer Set Adapter (Converts Safe-Lock bag connector to spike)	Each
050-40033	Safe-Lock Spike Adapter Set (Converts spike to Safe-Lock bag connector)	Each

Peritoneal Dialysis

Ancillary Products for Cycling and Acute Systems

APD Ancillary Products and Equipment

Part Number	Description	Package Size
050-50757	Multi-tubing Segment w/2 Prefilled Connectors	10/cs
050-50755	Multi-tubing Segment w/4 Prefilled Connectors	10/cs

Peritoneal Dialysis

Peritoneal Dialysis Software Applications

Part Number	Description	Package Size
180073	IQsystem™ Software	CD
180072	IQsystem Software	Kit
470190	IQsystem Software Users Guide	Manual
365039-13	IQsystem Software	USB Stick
170313	Pack-PD® for Windows	Software & Manual
470217	Pack-PD for Windows User's Guide	Manual
170245	FITTness™ Infection Tracking Tool	Software & Manual
470173	FITTness Infection Tracking Tool User's Guide	Manual
170307	Newton IQ® Card Kit (For use w/Newton IQ Cycler)	Start up Kit
180003	Newton IQ Card	Card

Peritoneal Dialysis

Educational Materials

stay•safe® Procedures

Part Number	Description	Package Size
100290-01	stay•safe CAPD (English)	Procedure Card
100355-01	stay•safe CAPD (Spanish)	Procedure Card
100354-01	stay•safe CAPD (English)	Training Video
100376-01	stay•safe CAPD (Spanish)	Training Video
100374-01	stay•safe CAPD (English)	Training DVD
100376-02	stay•safe CAPD (Spanish)	Training DVD
100291-01	stay•safe APD (English)	Procedure Card
100356-01	stay•safe APD (Spanish)	Procedure Card
100322-01	Making the stay•safe connection (English)	Procedure Card

Safe-Lock® Procedures

Part Number	Description	Package Size
66-0017-5	Safe-Lock Prefilled Disposable Freedom Set Procedure w/ Snap Disconnect	Procedure Card
66-0020-9	Safe-Lock Prefilled Disposable Freedom Set Procedure w/ Snap Disconnect (Spanish)	Procedure Card
100069-01	Making the Right Connection (Safe-Lock)	Procedure Card
100676-01	Fresenius PD Connections	Training CD
66-0138-9	Universal Cone Breaker Procedure	Procedure Card

Peritoneal Dialysis

Educational Materials

Liberty® Cycler

Part Number	Description	Package Size
101092-01	Liberty Cycler Training Test/Answer Sheet	25 tests/Pkg
101093-01	Liberty Cycler Patient Procedure Checklist	25 checklists/Pkg
100767-02	Welcome to Your Liberty Cycler - A Training Guide	DVD
100767-03	Welcome to Your Liberty Cycler - A Training Guide	Video
100767-05	Welcome to Your Liberty Cycler - A Training Guide (Spanish)	DVD

Newton IQ® Cycler Procedures

Part Number	Description	Package Size
470211	Newton IQ Cycler Assembly (English)	Procedure Card
470211-01	Newton IQ Cycler Assembly (Spanish)	Procedure Card
470211-02	Newton IQ Cycler Assembly (French)	Procedure Card
470210	Newton IQ Initiation of Treatment (English)	Procedure Card
470210-01	Newton IQ Intiation of Treatment (Spanish)	Procedure Card
470210-02	Newton IQ Intiation of Treatment (French)	Procedure Card
470214	Newton IQ Handi-Guide	Booklet
100386-01	Newton IQ Training (English)	Video
100425-01	Newton IQ Training (English)	DVD
100426-01	Newton IQ Training (Spanish)	Video
100426-02	Newton IQ Training (Spanish)	DVD
101118-01	Newton IQ Cycler Personal PD	Prescription Worksheet

Freedom® and Freedom® Cycler Procedures

Part Number	Description	Package Size
66-0023-3	Freedom Cycler	Procedure Card

Peritoneal Dialysis

Educational Materials

success@home™ Basic Training Materials

Part Number	Description	Package Size
100335-00	PD Patient Directory (new patients receive automatically)	Binder
100337-01	PD Patient Guide Flipchart	Flipchart
100338-01	Understanding Peritoneal Dialysis	25 cards/pkg
100339-01	Getting Ready to Do Your Exchange	25 cards/pkg
100340-01	Your Daily Routine	25 cards/pkg
100341-01	Catheter and Exit Site Care	25 cards/pkg
100342-01	Managing your Fluid Balance	25 cards/pkg
100343-01	Troubleshooting Exchange Problems	25 cards/pkg
100884-01	Calories and Weight Gain	25 cards/pkg
100744-01	Checking for Bag Leaks	25 cards/pkg
100881-01	Helping Your Children Understand	25 cards/pkg
100883-01	Emergency Guidelines	25 cards/pkg
100889-01	Ordering Supplies	25 cards/pkg
100885-01	Disposing of Waste	25 cards/pkg
100882-01	Giving Yourself a Shot	25 cards/pkg
101196-02	success@home Patient Cards (Spanish Compilation)	DVD
100368-01	success@home™ Patient Guide	DVD
100367-01	success@home™ Patient Guide	Video

Pre-ESRD Materials

Part Number	Description	Package Size
100066-01	Treatment Options for End Stage Renal Disease (ESRD)	Video
100066-02	Treatment Options for End Stage Renal Disease	DVD
66-0121-5	Treatment Options for End Stage	Flipchart
	Renal Disease (ESRD) - (English)	
100172-01	Treatment Options for End Stage	Flipchart
	Renal Disease (ESRD) (Spanish)	
66-0022-5	Using the Kidney You Never Thought You Had	Booklet
100043-01	Using the Kidney You Never Thought You Had (Spanish)	Booklet

Peritoneal Dialysis

Educational Materials

Training Tools

Part Number	Description	Package Size
66-0001-9	CAPD Patient Training (Spanish)	Manual
66-0039-9	Anatomy of the Peritoneum	Poster
66-0075-3	Anatomy of the Peritoneum	Chart
100163-01	Anatomy of Kidney	Poster
100164-01	CAPD Exchange Procedure	Poster
100314-01	Fluid Balance	Poster

Infection Tracking Tools

Part Number	Description	Package Size
100076-01	Infection Control Guideline	Video
100086-01	Infection Control Guideline (Spanish)	Video
100079-01	Peritoneal Dialysis: Guidelines for Disposal of Peritoneal Waste	Brochure

Adequacy Tools

Part Number	Description	Package Size
100075-01	Kt/V Chart Your Course Poster	Wallchart
100075-03	Kt/V Chart Your Course Stickers	Stickers
100075-04	Kt/V Motivational Stickers	Stickers
100199-01	Kt/V report card - green	Pad of 50
100200-01	Kt/V report card - blue	Pad of 50
100201-01	Kt/V report card - yellow	Pad of 50
100202-01	Kt/V report card - salmon	Pad of 50

Peritoneal Dialysis

Educational Materials

Exit Site Tools

Part Number	Description	Package Size
100240-01	Exit Classification Brochure	Brochure
100241-01	Exit classification Poster	Poster
100266-01	Exit classification Pocket Guide	Booklet
100265-01	Exit Site Classification	Worksheet

Staff Education and Work Productivity Tools

Part Number	Description	Package Size
66-0139-7	Therapy Matrix Workbook (CAPD and PD Plus prescriptions)	Calculation Tool
100070-01	Summary of NKF-DOQI Clinical Practice Guidelines for PD Adequacy	Procedure Card

Peritoneal Dialysis

Delflex® Peritoneal Dialysis Solutions with Dextrose in Standard Single Bag

- Low calcium, low magnesium solution

Formulation: Na 132 mEq/L, Ca 2.5 mEq/L, Mg 0.5 mEq/L, Cl 95 mEq/L, Lactate 40 mEq/L, Dextrose as shown

Part Number	Dextrose %	Fill Size (ml)	Bag Size (ml)	Package Size
044-15221	1.50	1500	2000	6/cs
044-15222	2.50	1500	2000	6/cs
044-15224	4.25	1500	2000	6/cs
044-20221	1.50	2000	2000	6/cs
044-20322	2.50	2000	3000	6/cs
044-20324	4.25	2000	3000	6/cs
044-25321	1.50	2500	3000	4/cs
044-25322	2.50	2500	3000	4/cs
044-25324	4.25	2500	3000	4/cs
044-30321	1.50	3000	3000	4/cs
044-30322	2.50	3000	3000	4/cs
044-30324	4.25	3000	3000	4/cs
044-50521	1.50	5000	5000	2/cs
044-50522	2.50	5000	5000	2/cs
044-50524	4.25	5000	5000	2/cs

Peritoneal Dialysis

Delflex® Peritoneal Dialysis Solutions with Dextrose in Standard Single Bag

- Standard calcium, low magnesium solution

Formulation: Na 132 mEq/L, Ca 3.5 mEq/L, Mg 0.5 mEq/L, Cl 96 mEq/L, Lactate 40 mEq/L, Dextrose as shown

Part Number	Dextrose %	Fill Size (ml)	Bag Size (ml)	Package Size
044-10101	1.50	1000	1000	12/cs
044-10102	2.50	1000	1000	12/cs
044-10104	4.25	1000	1000	12/cs
044-15201	1.50	1500	2000	6/cs
044-15202	2.50	1500	2000	6/cs
044-15204	4.25	1500	2000	6/cs
044-20201	1.50	2000	2000	6/cs
044-20202	2.50	2000	2000	6/cs
044-20204	4.25	2000	2000	6/cs
044-20301	1.50	2000	3000	6/cs
044-20302	2.50	2000	3000	6/cs
044-20304	4.25	2000	3000	6/cs
044-25301	1.50	2500	3000	4/cs
044-25302	2.50	2500	3000	4/cs
044-25304	4.25	2500	3000	4/cs
044-30301	1.50	3000	3000	4/cs
044-30302	2.50	3000	3000	4/cs
044-30304	4.25	3000	3000	4/cs
044-50501	1.50	5000	5000	2/cs
044-50502	2.50	5000	5000	2/cs
044-50504	4.25	5000	5000	2/cs

Peritoneal Dialysis

Delflex® Peritoneal Dialysis Solutions with Dextrose in Standard Single Bag

- Standard calcium, standard magnesium solution

Formulation: Na 132 mEq/L, Ca 3.5 mEq/L, Mg 1.5 mEq/L, Cl 102 mEq/L, Lactate 35 mEq/L, Dextrose as shown

Part Number	Dextrose %	Fill Size (ml)	Bag Size (ml)	Package Size
044-10111	1.50	1000	1000	12/cs
044-10112	2.50	1000	1000	12/cs
044-10114	4.25	1000	1000	12/cs
044-15211	1.50	1500	2000	6/cs
044-15212	2.50	1500	2000	6/cs
044-15214	4.25	1500	2000	6/cs
044-20211	1.50	2000	2000	6/cs
044-20212	2.50	2000	2000	6/cs
044-20214	4.25	2000	2000	6/cs
044-20311	1.50	2000	3000	6/cs
044-20312	2.50	2000	3000	6/cs
044-20314	4.25	2000	3000	6/cs
044-25311	1.50	2500	3000	4/cs
044-25312	2.50	2500	3000	4/cs
044-25314	4.25	2500	3000	4/cs
044-30311	1.50	3000	3000	4/cs
044-30312	2.50	3000	3000	4/cs
044-30314	4.25	3000	3000	4/cs
044-50511	1.50	5000	5000	2/cs
044-50512	2.50	5000	5000	2/cs
044-50514	4.25	5000	5000	2/cs

Peritoneal Dialysis

Delflex® Peritoneal Dialysis Solutions with Dextrose and stay•safe® Exchange Set

• Low calcium, low magnesium solution

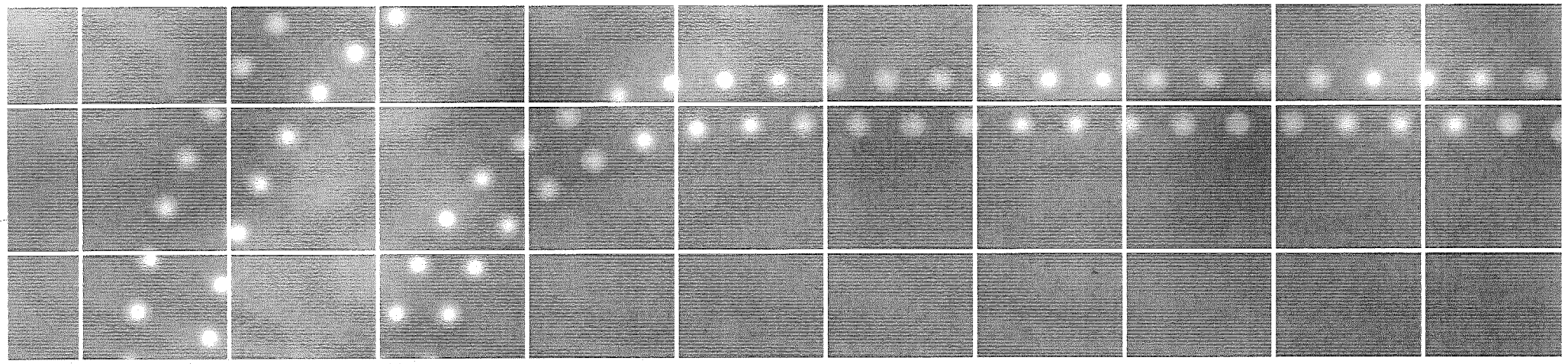
Formulation: Na 132 mEq/L, Ca 2.5 mEq/L, Mg 0.5 mEq/L, Cl 95 mEq/L, Lactate 40 mEq/L, Dextrose as shown

Part Number	Dextrose %	Fill Size (ml)	Bag Size (ml)	Package Size
054-15221	1.50	1500	2000	6/cs
054-15222	2.50	1500	2000	6/cs
054-15224	4.25	1500	2000	6/cs
054-20221	1.50	2000	2000	5/cs
054-20222	2.50	2000	2000	5/cs
054-20224	4.25	2000	2000	5/cs
054-25321	1.50	2500	3000	5/cs
054-25322	2.50	2500	3000	5/cs
054-25324	4.25	2500	3000	5/cs
054-30321	1.50	3000	3000	4/cs
054-30322	2.50	3000	3000	4/cs
054-30324	4.25	3000	3000	4/cs

• Standard calcium, low magnesium solution

Formulation: Na 132 mEq/L, Ca 3.5 mEq/L, Mg 0.5 mEq/L, Cl 95 mEq/L, Lactate 40 mEq/L, Dextrose as shown

Part Number	Dextrose %	Fill Size (ml)	Bag Size (ml)	Package Size
054-15201	1.50	1500	2000	6/cs
054-15202	2.50	1500	2000	6/cs
054-15204	4.25	1500	2000	6/cs
054-20201	1.50	2000	2000	5/cs
054-20202	2.50	2000	2000	5/cs
054-20204	4.25	2000	2000	5/cs
054-25301	1.50	2500	3000	5/cs
054-25302	2.50	2500	3000	5/cs
054-25304	4.25	2500	3000	5/cs
054-30301	1.50	3000	3000	4/cs
054-30302	2.50	3000	3000	4/cs
054-30304	4.25	3000	3000	4/cs



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Fresenius Medical Care

Exhibit 3

FRESENIUS
MEDICAL CARE

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Germany
www.fmc-ag.com

February 24, 2012

Investor News

Fresenius Medical Care Publishes Form 20-F for the Fiscal Year 2011

Bad Homburg, Germany – Fresenius Medical Care AG & Co. KGaA ("the company" or "Fresenius Medical Care"), the world's largest provider of dialysis products and services, today announced that it has filed the annual report 2011 under Form 20-F with the U.S. Securities and Exchange Commission (SEC). The report is available at the company's website www.fmc-ag.com in the "Investor Relations" section as well as at the SEC's website, www.sec.gov.

A hard copy of Fresenius Medical Care's annual report on Form 20-F including the complete audited financial statements may be obtained from the company free of charge upon request to the company's Investor Relations department by email at ir@fmc-ag.com.

About Fresenius Medical Care
Fresenius Medical Care is the world's largest integrated provider of products and services for individuals undergoing dialysis because of chronic kidney failure, a condition that affects more than 2.1 million individuals worldwide. Through its network of 2,898 dialysis clinics in North America, Europe, Latin America, Asia-Pacific and Africa, Fresenius Medical Care provides dialysis treatment to 233,156 patients around the globe. Fresenius Medical Care is also the world's leading provider of dialysis products such as hemodialysis machines, dialyzers and related disposable products.

Disclaimer
This release contains forward-looking statements that are subject to various risks and uncertainties. Actual results could differ materially from those described in these forward-looking statements due to certain factors, including changes in business, economic and competitive conditions, regulatory reforms, foreign exchange rate fluctuations, uncertainties in litigation or investigative proceedings, and the availability of financing. These and other risks and uncertainties are detailed in Fresenius Medical Care AG & Co. KGaA's reports filed with the U.S. Securities and Exchange Commission. Fresenius Medical Care AG & Co. KGaA does not undertake any responsibility to update the forward-looking statements in this release.

Fresenius Medical Care Reports Very Strong Fourth Quarter and Full Year Results; Another Record Year expected for 2012

February 21, 2012

4th Quarter 2011 Summary:

Net revenue	$	3,323 million	+	5%
Operating income (EBIT)	$	587 million	+	9%
Net income attributable to shareholders of Fresenius Medical Care AG & Co. KGaA	$	310 million	+	14%
Earnings per share	$	1.02	+	14%
2011 Full-Year Summary:				
Net revenue	$	12,795 million	+	6%
Operating income (EBIT)	$	2,075 million	+	8%
Net income attributable to shareholders of Fresenius Medical Care AG & Co. KGaA	$	1,071 million	+	9%
Earnings per share	$	3.54	+	9%
Dividend Proposal Ordinary share	€	0.69	+	6%
Dividend Proposal Preference share	€	0.71	+	6%

Fresenius Medical Care AG & Co. KGaA (the "company" or "Fresenius Medical Care"; Frankfurt Stock Exchange: FME / New York Stock Exchange: FMS), the world's largest provider of dialysis products and services, today announced its results for the fourth quarter and full year of 2011.

4th-Quarter 2011:

Revenue

Net revenue for the fourth quarter of 2011 increased by 5% to $3,323 million (+6% at constant currency) compared to the fourth quarter of 2010. Organic revenue growth worldwide was 3%. Dialysis services revenue grew by 3% to $2,435 million (+4% at constant currency) and dialysis product revenue increased by 9% to $888 million (+10% at constant currency).

North America revenue for the fourth quarter of 2011 increased by 1% to $2,096 million including the impact of the new Medicare end-stage renal disease prospective payment system in the United States. Dialysis services revenue increased by 1% to $1,882 million with a same market growth of 3%. Average revenue per treatment for U.S. clinics decreased to $351 in the fourth quarter of 2011 compared to $355 for the corresponding quarter in 2010 reflecting the implementation of the new prospective payment system. Dialysis product revenue increased by 2% to $214 million, mainly as a result of increased sales of hemodialysis products partially offset by lower pricing of renal pharmaceuticals.

International revenue increased by 12% to $1,223 million (+14% at constant currency). Organic revenue growth was 8%. Dialysis services revenue increased by 13% to $553 million (+16% at constant currency). Dialysis product revenue increased by 11% to $669 million and increased by 12% at constant currency, mainly driven by higher sales of peritoneal dialysis products, dialysis machines, dialyzers, products for acute care treatments and renal pharmaceuticals.

Earnings

Operating income (EBIT) for the fourth quarter of 2011 increased by 9% to $587 million compared to $539 million in the fourth quarter of 2010. This resulted in an operating margin of 17.7% for the fourth quarter of 2011 compared to 17.0% for the corresponding quarter in 2010.

In North America, the operating margin increased from 17.9% in the fourth quarter of 2010 to 19.1% in the fourth quarter of 2011. This increase was favorably influenced by the development of pharmaceutical costs. Average costs per treatment for U.S. clinics decreased to $279 in the fourth quarter of 2011 compared to $287 for the corresponding quarter in 2010.

In the International segment, the operating margin increased from 18.0% to 18.7% mainly due to favorable exchange rate effects and business growth in Asia-Pacific.

Net interest expense for the fourth quarter of 2011 was $82 million compared to $74 million in the fourth quarter of 2010. This development was mainly attributable to the higher level of financial debt as a result of the issuance of various tranches of

senior notes over the course of 2011.

Income tax expense was $165 million for the fourth quarter of 2011 compared to $169 million in the fourth quarter of 2010. The effective tax rate decreased to 32.7% from 36.3%.

Net income attributable to shareholders of Fresenius Medical Care AG & Co. KGaA for the fourth quarter of 2011 was $310 million, an increase of 14% compared to the corresponding quarter of 2010.

Earnings per share (EPS) for the fourth quarter of 2011 rose by 14% to $1.02 per ordinary share compared to $0.90 for the fourth quarter of 2010. The weighted average number of shares outstanding for the fourth quarter of 2011 was approximately 303.9 million shares compared to 302.1 million shares for the fourth quarter of 2010. The increase in shares outstanding resulted from stock option exercises in the past 12 months.

Cash Flow
In the fourth quarter of 2011, the company generated $497 million in **cash from operations**, an increase of 46% compared to the corresponding figure last year and representing approximately 15% of revenue. The cash flow generation was supported by increased earnings, a favorable development of days sales outstanding (DSO) compared to the fourth quarter of 2010 and lower income tax payments.

A total of $191 million in cash was spent for **capital expenditures**, net of disposals. **Free Cash Flow before acquisitions** was $306 million compared to $173 million in the fourth quarter of 2010. A total of $604 million in cash was spent for **acquisitions**, net of divestitures. **Free Cash Flow after acquisitions and divestitures** was minus $298 million compared to minus $75 million in the fourth quarter of 2010.

Full Year 2011:

Revenue and Earnings
Net revenue for the full year 2011 increased by 6% to $12,795 million (+5% at constant currency) compared to the full year 2010 and in line with our guidance. Organic revenue growth was 2% in the full year 2011.

Operating income (EBIT) for the full year 2011 increased by 8% to $2,075 million compared to $1,924 million in 2010, resulting in an operating margin of 16.2% compared to 16.0% for the full year 2010.

Net interest expense for the full year 2011 was $297 million compared to $280 million in the same period of 2010.

Income tax expense for the full year 2011 was $601 million compared to $578 million in the same period in 2010, reflecting effective **tax rates** of 33.8% and 35.2%, respectively.

For the full year 2011, **net income** attributable to shareholders of Fresenius Medical Care AG & Co. KGaA was $1,071 million, up by 9% from the full year 2010 and in line with our guidance.

In the full year 2011, **earnings per ordinary share** rose by 9% to $3.54. The weighted average number of shares outstanding during the full year 2011 was approximately 303.0 million.

Cash Flow
Cash from operations during 2011 was $1,446 million compared to $1,368 million for the same period in 2010, representing approximately 11% of revenue and above our targeted 10% level.

A total of $570 million in cash was spent for **capital expenditures**, net of disposals. **Free Cash Flow before acquisitions** for the full year 2011 was $876 million compared to $861 million in the same period in 2010. A total of $1,775 million in cash was spent for **acquisitions**, net of divestitures. **Free Cash Flow after acquisitions and divestitures** was minus $899 million compared to $243 million in the last year.

Please refer to the attachments for a complete overview on the fourth quarter and the full year of 2011 and the reconciliation of non-GAAP financial measures included in this release to the most comparable GAAP financial measures.

Patients - Clinics - Treatments
As of December 31, 2011, Fresenius Medical Care treated 233,156 **patients** worldwide, which represents a 9% increase compared to the previous year's figure. North America provided dialysis treatments for 142,319 patients, an increase of 3%. Including 21 clinics managed by Fresenius Medical Care North America, the number of patients in North America was 143,679. The International segment provided dialysis treatments to 90,837 patients, an increase of 18% over the prior year's figure.

As of December 31, 2011, the company operated a total of 2,898 **clinics** worldwide, which represents a 6% increase compared to the previous year's figure. The number of clinics is comprised of 1,838 clinics in North America (1,859 including managed

clinics), and 1,060 clinics in the International segment, representing an increase of 2% and 13%, respectively.

During the full year 2011, Fresenius Medical Care delivered approximately 34.39 million dialysis **treatments** worldwide. This represents an increase of 9% compared to last year's figure. North America accounted for 21.61 million treatments, an increase of 4%. The International segment delivered 12.78 million treatments, an increase of 18%.

Employees
As of December 31, 2011, Fresenius Medical Care had 79,159 employees (full-time equivalents) worldwide compared to 73,452 employees at the end of 2010. This increase of more than 5,700 employees is due to overall growth in the company's business and acquisitions.

Dividend
The company intends to continue its earnings-driven dividend policy. At the Annual General Meeting to be held on May 10, 2012, shareholders will be asked to approve a dividend of €0.69 per ordinary share, an increase of 6% from 2010 (€0.65). For the 15th consecutive year, shareholders can expect to receive an increased annual dividend.

Debt/EBITDA Ratio
The ratio of debt to Earnings before interest, taxes, depreciation and amortization (EBITDA) increased from 2.38 at the end of 2010 to 2.69 at the end of 2011. The debt/EBITDA ratio at the end of the third quarter 2011 was 2.55.

Rating
Standard & Poor's Ratings Services rates the company's corporate credit as 'BB' with a 'positive' outlook. Moody's rates the company's corporate credit as 'Ba1' with a 'stable' outlook, and Fitch rates the company's corporate credit as 'BB+' with a 'stable' outlook. For further information on Fresenius Medical Care's credit ratings, maturity profiles and credit instruments, please visit our website at www.fmc-ag.com / Investor Relations / Credit Relations.

Vifor Fresenius Medical Care Renal Pharma Ltd. Formation Completed
After the recent clearance by the European Union antitrust commissions, the formation of Vifor Fresenius Medical Care Renal Pharma Ltd. was completed globally on November 1, 2011.

Acquisition of American Access Care Completed
The American Accesss Care (AAC) acquisition was closed effective October 1, 2011. AAC operates 28 freestanding out-patient centers primarily dedicated to serving vascular access needs of dialysis patients. The acquired operations will add approximately $175 million in annual revenue and are expected to be accretive to earnings in the first year after closing of the transaction.

Acquisition of Liberty Dialysis Holdings, Inc.
The acquisition of Liberty Dialysis Holdings, Inc. is on schedule and is still expected to close in the first quarter of 2012.

Issuance of senior notes
In January 2012, Fresenius Medical Care successfully completed the largest placement of senior notes in the history of the company. Proceeds from the offering of three tranches of U.S. dollar and euro-denominated senior unsecured notes amounting to approximately $1.81 billion are intended to be used for acquisitions, including the acquisition of Liberty Dialysis Holdings, Inc., to refinance indebtedness and for general corporate purposes. The coupon for the dollar-denominated senior notes in the principal amount of $800 million due 2019 is 5.625% and the coupon for the dollar-denominated senior notes in the principal amount of $700 million due 2022 is 5.875%. The coupon for the euro-denominated senior notes in the principal amount of €250 million due 2019 is 5.25%. All tranches were issued at par.

Issuance of floating rate senior notes
In October 2011, Fresenius Medical Care issued euro-denominated floating rate senior notes in the principal amount of €100 million, due 2016. The coupon is equal to the three-month Euribor rate plus 350 basis points.

Outlook for 2012
For the year 2012, the company expects **revenue** to grow to around $14 billion. This takes into account a change in US-GAAP1) in the presentation of U.S. dialysis service revenue which will be shown net of the provision for bad debt. Based on the comparable revenue for 2011 of $12,571 million the revenue outlook represents an increase of 11% and between 13% and 15% based on constant currencies.

Net income is expected to grow to around $1.3 billion and **net income** attributable to shareholders of Fresenius Medical Care AG & Co. KGaA is expected to grow to around $1.14 billion with operating margins forecast to increase to approximately 16.9%.

For 2012, the company expects to spend around $700 million on **capital expenditures** and around $1.8 billion on **acquisitions**. The **debt/EBITDA ratio** is expected to be below 3.0 by the end of 2012.

"We are very pleased to have achieved another year of record results in 2011. In the past 15 years, since the foundation of the company, Fresenius Medical Care has been able to quadruple its sales and to increase its earnings tenfold. With our strong performance in 2011 we are proposing to deliver our fifteenth consecutive dividend increase to our shareholders", said Ben Lipps, chief executive officer of Fresenius

Medical Care. "We successfully handled the implementation of the new reimbursement system in the U.S. and have made good progress on our growth initiatives. We are confident that we will continue our strong performance targeting another record year in 2012."

[1] First time adoption of Accounting Standards Codification 954-605 in 2012 (Patient service revenue less provision for bad debt).

Video Webcast

Fresenius Medical Care will hold an analyst meeting at its headquarters in Bad Homburg, Germany, to discuss the results of the fourth quarter and the full year of 2011 on Tuesday, February 21, 2011, at 3:15 p.m. CET / 9:15 a.m. EDT. The company invites investors to view the live webcast of the meeting at the company's website **www.fmc-ag.com** in the "Investor Relations" section. A replay will be available shortly after the meeting.

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About Fresenius Medical Care

Fresenius Medical Care is the world's largest integrated provider of products and services for individuals undergoing dialysis because of chronic kidney failure, a condition that affects more than 2.1 million individuals worldwide. Through its network of 2,898 dialysis clinics in North America, Europe, Latin America, Asia-Pacific and Africa, Fresenius Medical Care provides dialysis treatment to 233,156 patients around the globe. Fresenius Medical Care is also the world's leading provider of dialysis products such as hemodialysis machines, dialyzers and related disposable products.

Disclaimer

This release contains forward-looking statements that are subject to various risks and uncertainties. Actual results could differ materially from those described in these forward-looking statements due to certain factors, including changes in business, economic and competitive conditions, regulatory reforms, foreign exchange rate fluctuations, uncertainties in litigation or investigative proceedings, and the availability of financing. These and other risks and uncertainties are detailed in Fresenius Medical Care AG & Co. KGaA's reports filed with the U.S. Securities and Exchange Commission. Fresenius Medical Care AG & Co. KGaA does not undertake any responsibility to update the forward-looking statements in this release.

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Corporate Profile

FRESENIUS MEDICAL CARE

Fresenius Medical Care
Fresenius Medical Care is the world's largest integrated provider of products and services for individuals undergoing dialysis because of chronic kidney failure, a condition that affects more than 2.1 million individuals worldwide. Through its network of 2,898 dialysis clinics in North America, Europe, Latin America, Asia-Pacific and Africa, Fresenius Medical Care provides dialysis treatment to 233,156 patients around the globe. Fresenius Medical Care is also the world's leading provider of dialysis products such as hemodialysis machines, dialyzers and related disposable products.

Growth Strategy

With GOAL 13...
...new targets of the growth strategy were adopted in September 2010. Thereby we follow up the previous strategy, continuing to pursue the strategic four paths consistently in a financially responsible way to consolidate our position as world market leader in dialysis:

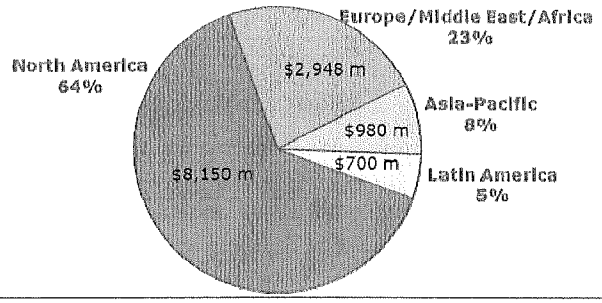
- Organic growth in dialysis services by innovative treatment techniques and the opening of new clinics
- Acquisitions of existing clinics to ensure optimized international presence
- Horizontal expansion in the sector of Renal Drugs as well as
- A boosted activity in home therapies

Key Figures - Summary Full Year 2011

Net revenue	$ 12,795 million	+ 6%
Operating income (EBIT)	$ 2,075 million	+ 8%
Net income attributable to shareholders of Fresenius Medical Care AG & Co. KGaA	$ 1,071 million	+ 9%
Earnings per share	$ 3.54	+ 9%
Total assets[1]	$ 19,533 million	
Operating cash flow[2]	$ 1,446 million	
Employees[1]	79,159	+ 8%
Patients[1]	233,156	+ 9%
Clinics[1]	2,898	+ 6%
Treatments[2]	34.39 million	+ 9%

[1] as of December 31, 2011
[2] in the full year of 2011

Revenue full year 2011 per region (US$ 12,795 m)



Goals for 2012

Net revenue	~ $14.0 billion
Net income	~ $1.14 billion
Leverage ratio (Debt/EBITDA)	< 3.0
Capital expenditures	~ $700 million
Acquisitions	~ $1.8 billion

Management Board

- Dr. Ben J. Lipps (Chairman)
- Rice Powell (Vice Chairman)
- Michael Brosnan
- Roberto Fusté
- Dr. Emanuele Gatti
- Dr. Rainer Runte
- Kent Wanzek

Supervisory Board

- Dr. Gerd Krick (Chairman)
- Dr. Dieter Schenk (Vice Chairman)
- Dr. Walter L. Weisman
- Rolf A. Classon
- William P. Johnston
- Prof. Dr. Bernd Fahrholz

Share Profile – Key Data

Ticker Symbols	Ordinary shares	Preference shares
Frankfurt Stock Exchange	FME	FME3
New York Stock Exchange (NYSE)	FMS	FMS/P
Reuters: XETRA / Frankfurt Stock Exchange	FMEG.DE / FMEG.F	FMEG_p.DE / FMEG_p.F
Bloomberg	FME GY	FME3 GY
Security Identification Numbers		
WKN	578 580	578 583
ISIN	DE 0005785802	DE 0005785836
CUSIP No. (NYSE)	358029106	358029205

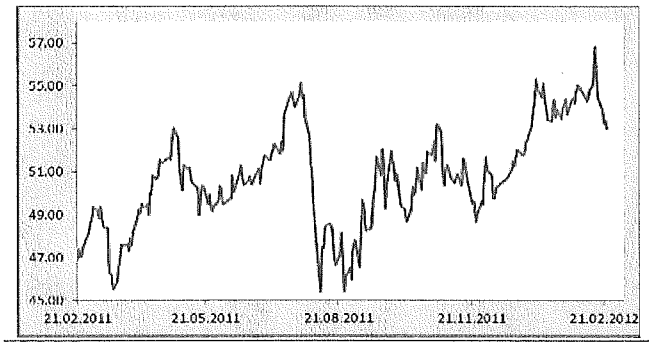
Financing Instruments and Maturity Profile

	Amount in million	Coupon %	Maturity
Credit Agreement Revolver	$ 1,200		March 31, 2013
Credit Agreement Term Loan A	$ 1,850[1]		March 31, 2013
Credit Agreement Term Loan B	$ 1,750[1]		March 31, 2013
Senior Notes 2010 - 2016	€ 250	5.50%	July 15, 2016
Senior Notes 2011 - 2016	€ 100	3-month-Euribor +3.50%	Oct. 15, 2016
Senior Notes 2007 - 2017	$ 500	6.875%	July 15, 2017
Senior Notes 2011 - 2018	$ 400	6.50%	September 15, 2018
Senior Notes 2011 - 2018	€ 400	6.50%	September 15, 2018
Senior Notes 2012 - 2019	$ 800	5.625%	July 31, 2019
Senior Notes 2012 - 2019	€ 250	5.25%	July 31, 2019
Senior Notes 2011 - 2021	$ 650	5.75%	February 15, 2021
Senior Notes 2011 - 2021	€ 300	5.25%	February 15, 2021
Senior Notes 2012 - 2022	$ 700	5.875%	January 31, 2022
Notes (Schuldscheindarlehen)	€ 155		October 27, 2012
Notes (Schuldscheindarlehen)	€ 45		October 27, 2014
Accounts Receivable Facility	$ 800		July 31, 2014

[1] at the beginning before amortisation and extension

Share Price Development last 12 months

in €

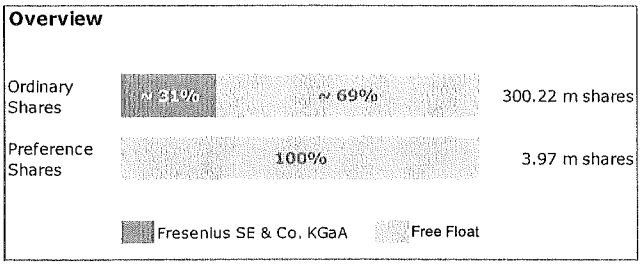


Financial Calendar

Event	Date
Report on Full Year 2011	
Annual Financial Report:	March 30, 2012
Report on First Quarter 2012:	May 3, 2012
Annual General Meeting:	May 10, 2012
Payment of Dividend[1]:	May 11, 2012
Report on Second Quarter 2012:	August 1, 2012
Report on Third Quarter 2012:	October 31, 2012

[1] Subject to the approval of the AGM

Capital Structure



Contacts

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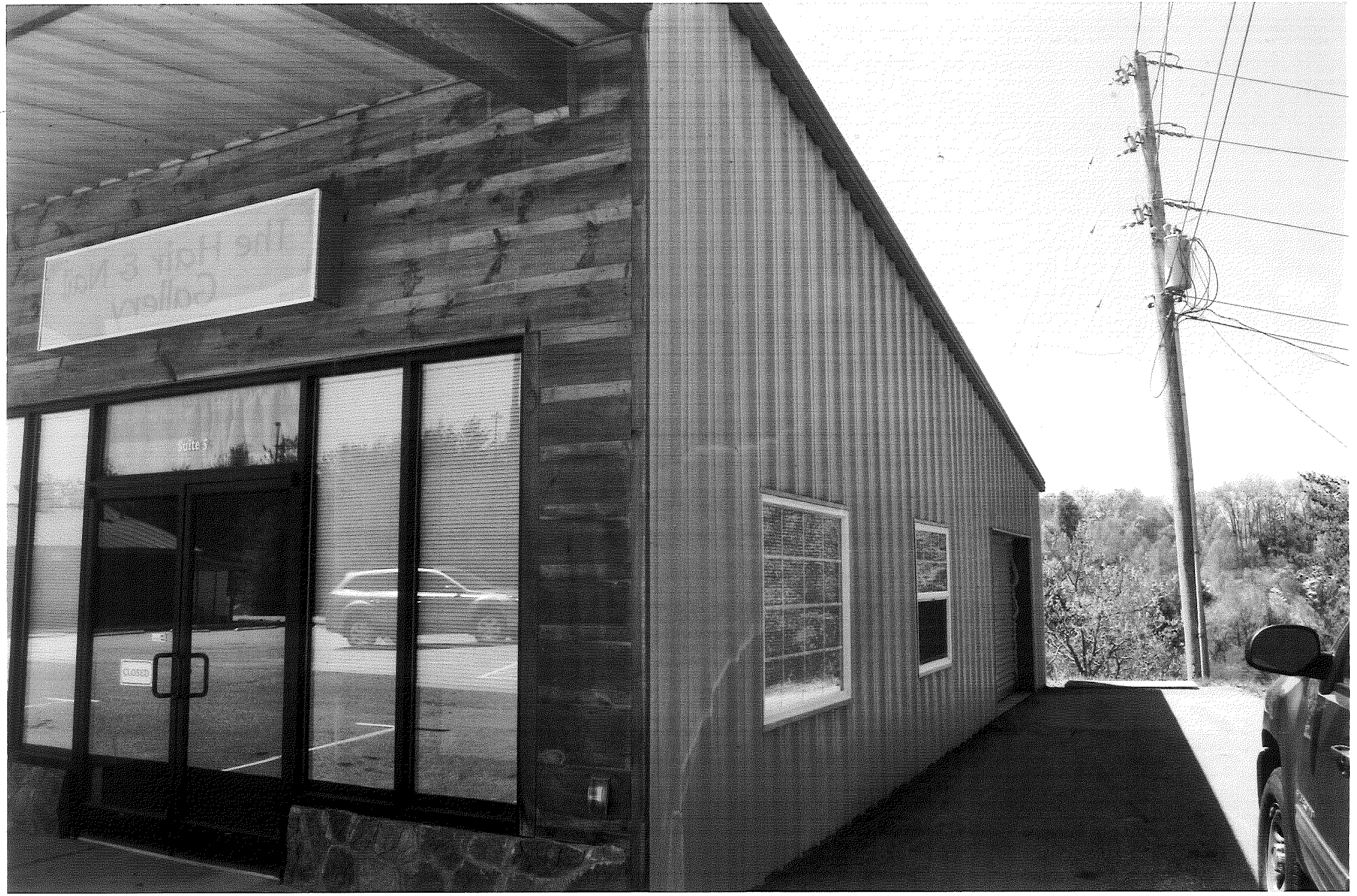
Vice President

North America
Terry L. Morris P:+1-800-948-2538
Vice President F: +1-615-345-5605

Exhibit 4


The Shoppes At Tally Springs
Essence of Beauty
Western Union
2332


AVAILABLE
OFFICE


Suite 3
CLOSED


Willy's
BAR·B·QUE


Holly Springs
OFFICE
AVAILABLE

Exhibit 5

RE/MAX®

Elite Realty
1296 East Main Street
Telephone # (828) 349-4600
Fax # (828) 369-5949

FAX COVER SHEET

(Devita)

To: Bill Hyland From: Ron Winecoff

FAX #: 866-480-7831 Return Fax # _____

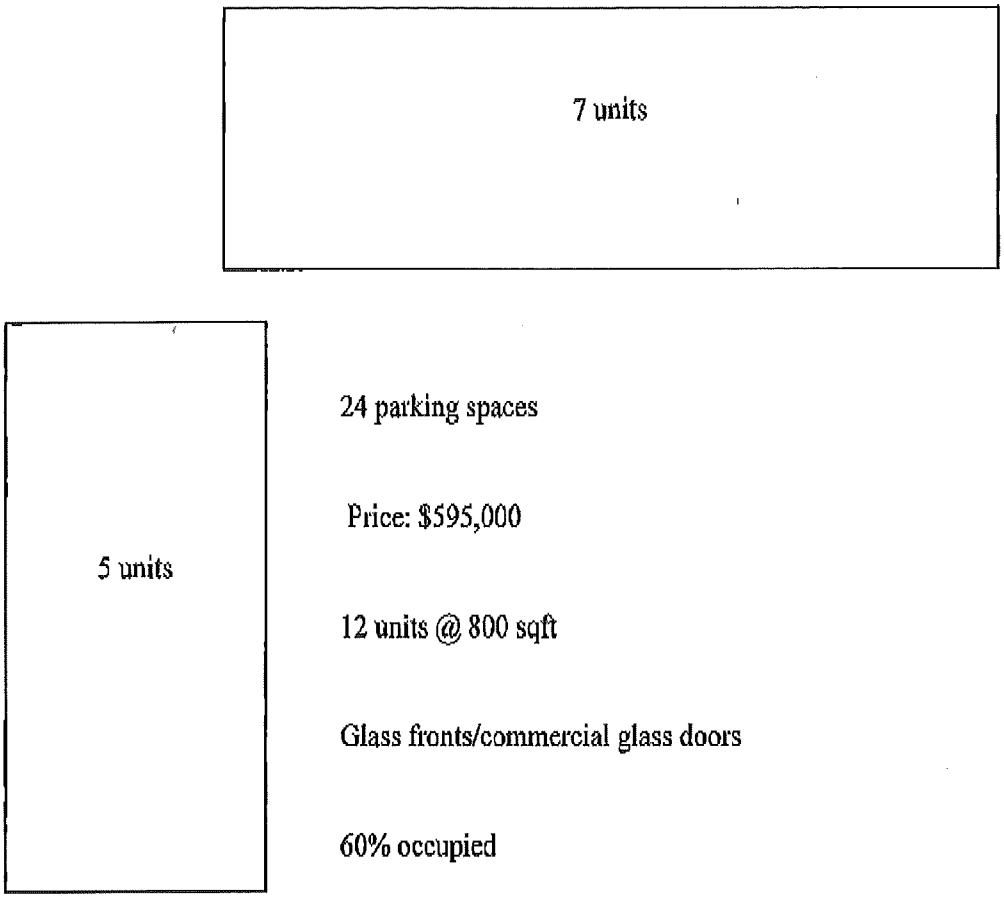
Date: 4/30/12 # Pages: 1

Re: _____ cc: _____

☐ Urgent ☐ For Review ☐ Please comment ☐ Please Reply

Comments: Re: Shops @ Holly Springs

Re: Shops at Holly Springs



24 parking spaces

Price: $595,000

12 units @ 800 sqft

Glass fronts/commercial glass doors

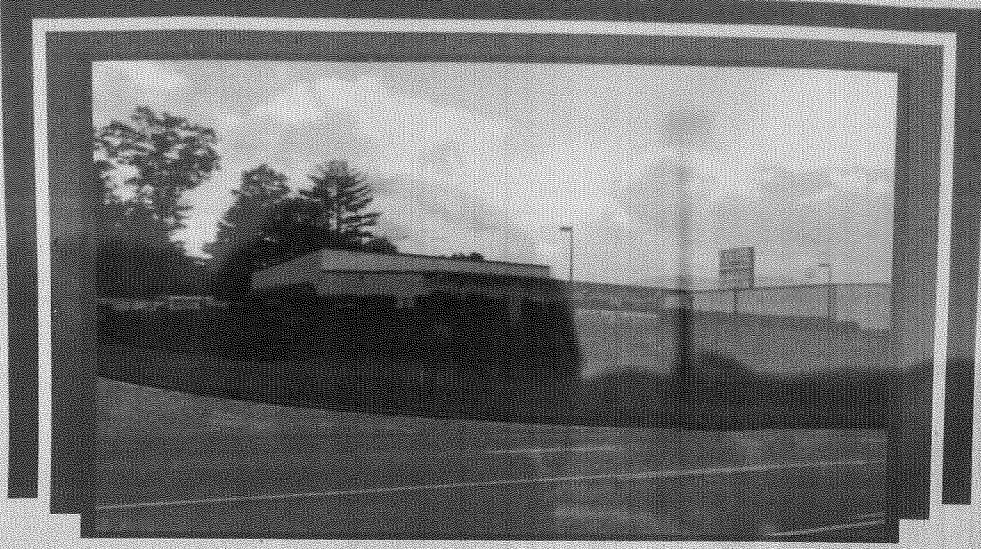
60% occupied

Built 2006

Each unit has separate heat and air

Exhibit 6

FOR LEASE



31 Poplar Grove Road
Franklin, North Carolina

Lee Hemmer, CCIM
lee@simpsoncompany.com

THE SIMPSON COMPANY
REAL ESTATE

425 Spring Street
Gainesville, GA 30501
Main: 770.532.9911
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CCIM Individual Member

CBR

Property Features:

- 3,000 +/- SF Office/Retail Space
- Metal Construction
- Zoned Light Industrial
- Built in 2000
- Water, Sewer & Dumpster included in rent
- Corner of US 23/441 & Poplar Grove Road
- Aggressive Leasing Incentives
- Asking Rate: $6.00/ Square Foot


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Supply
Lighting Showroom
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