Clerk of the House of Representatives Legislative Resource Center B-106 Cannon Building Washington, DC 20515 Secretary of the Senate Office of Public Records 232 Hart Building Washington, DC 20510

Secretary of the Senate Received: Feb 11, 2003

LOBBYING REPORT

Lobbying Disclosure Act of 1995 (Section 5) - All Filers Are Required To Complete This Page

1. Registrant Name:
GUIDANT CORPORATION
2. Address: 1310 G ST NW #770, WASHINGTON, DC 20005
3. Principal place of business (if different from line 2): City: INDIANAPOLIS State/Zip(or Country): IN 46204
4. Contact Name: ANN M. GOSIER Telephone: 202-508-0800 E-mail (optional): agosier@guidant.com
Senate ID #: 17124-12 House ID #: 32931000
7. Client Name: 🔀 Self
TYPE OF REPORT
8. Year 2002 Midyear (January 1 - June 30): OR Year End (July 1 - December 31): 🗵
9. Check if this filing amends a previously filed version of this report:
10. Check if this is a Termination Report: => Termination Date: 11. No Lobbying Activity:
INCOME OR EXPENSES
Complete Either Line 12 OR Line 13
12. Lobbying Firms
INCOME relating to lobbying activities for this reporting period was:
Less than \$10,000:
\$10,000 or more: => Income (nearest \$20,000):
Provide a good faith estimate, rounded to the nearest \$20,000, of all lobbying related income from the client (including all payments to t registrant by any other entity for lobbying activities on behalf of the client).
13. Organizations
EXPENSES relating to lobbying activities for this reporting period were:
Less than \$10,000:
\$10,000 or more: X => Expenses (nearest \$20,000): 80,000.00
14. Reporting Method. Check box to indicate expense accounting method. See instructions for description of options.

Method A. Reporting amounts using LDA definitions only
Method B. Reporting amounts under section 6033(b)(8) of the Internal Revenue Code
Method C. Reporting amounts under section 162(e) of the Internal Revenue Code

LOBBYING ACTIVITY.

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed

- 15. General issue area code: BUD (one per page)
- 16. Specific lobbying issues:
- S 2552, HR 4775, H RES 428, H RES 431: "Supplemental Appropriations, FY 2002 bill" Legislation to make supplemental appropriations for the fiscal year ending September 30, 2002, and for other purposes. Makes supplemental appropriations for the Department of Health and Human Services (HHS) for the Food and Drug Administration (FDA), subject to certain conditions.
- 17. House(s) of Congress and Federal agencies contacted: HOUSE OF REPRESENTATIVES SENATE
- 18. Name of each individual who acted as a lobbyist in this issue area:

Name: CANTOR-WEINBERG, JULIE Covered Official Position (if applicable): N/A Name: GOSIER, ANN M. Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. None

LOBBYING ACTIVITY.

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed

- 15. General issue area code: FIN (one per page)
- 16. Specific lobbying issues:

S. 1677: "Independent Investment Advice Act of 2001" Legislation to amend title I of the Employee Retirement Income Security Act of 1974 to create a safe harbor for retirement plan sponsors in the designation and monitoring of investment advisers for workers managing their retirement income assets. S. 1838, H.R. 3640, H.R. 3692: "Pension Protection and Diversification Act of 2001" Legislation to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to ensure that individual account plans protect workers by limiting the amount of employer stock each worker may hold and encouraging diversification of investment of plan assets, and for other purposes. S. 1919, H.R. 3657: "Retirement Security Protection Act of 2002" Legislation to amend the Employee Retirement Income Security Act of 1974 to provide for improved disclosure, diversification, account access, and accountability under individual account plans. S. 1921: "Pension Plan Protection Act" Legislation to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to provide greater protection of workers' retirement plans, to prohibit certain activities by persons providing auditing services to issuers of public securities, and for other purposes. S. 1963. S. 1992, H.R. 226 H.R. 3669, H.Res. 386, H.R. 3762: "Pension Security Act of 2002" Legislation to amend title I of the Employee Retirement Income S. 1969, S. 1992, H.B. 2269, Security Act of 1974 and the Internal Revenue Code of 1986 to provide additional protections to participants and beneficiaries in individual account plans from excessive investment in employer securities and to promote the provision of retirement investment advice to workers managing their retirement income assets, and to amend the Securities Exchange Act of 1934 to prohibit insider trades during any suspension of the ability of plan participants or beneficiaries to direct investment away from equity securities of the plan sponsor. 1971: "National Employee Savings and Trust Equity Guarantee Act" Legislation to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to protect the retirement security of American workers by ensuring that pension assets are adequately diversified and by providing workers with adequate access to, and information about, their pension plans, and for other S. 2032: "Investor-Employees Need Financial Facts and Options for Responsible Retirement Plan Management Act of 2002" Legislation to amend the Employee Retirement Income Security Act of 1974 to provide for improved disclosure, diversification, account access, and accountability under individual account plans.

S. 2460: "Shareholder Bill of Rights Act" Legislation to guarantee persons who invest in publicly held companies accurate information about the financial condition of such companies so they an make fully informed investment decisions, to increase the independence of the Financial Accounting Standards Board, and for other purposes. S. 2673, H.R. 3763, H.R. 5070: "Public Company Accounting Reform and Investor Protection Act of 2002" Legislation to improve quality and transparency in financial reporting and independent audits and accounting services for public companies, to create a Public Company Accounting Oversight Board, to enhance the standard setting process for accounting practices, to strengthen the independence of firms that audit public companies, to increase corporate responsibility and the usefulness of corporate financial disclosure, to protect the objectivity and independence of securities analysts, to improve Securities and Exchange Commission resources and oversight, and for other purposes. S. 2822: "Prevention of Stock Option Abuse Act" Legislation to prevent publicly traded corporations from issuing stock options to top management in a manner that is detrimental to the long-term interests of shareholders. 3010 Legislation to provide information and advice to pension plan participants to assist them in making decisions regarding the investment of their pension plan assets, and for other purposes. H.R. 3463: "Pension Protection Act" Legislation to amend the Internal Revenue Code of 1986 to provide protections for participants in cash or deferred arrangements under section 401(k) with respect to the acquisition and holding of employer securities. H.R. 3509: "Pension Protection Bill" Retirement Income Security Act of 1974 to provide additional fiduciary protections for participants and beneficiaries under employee stock ownership plans with respect to lockdowns placed on plan assets. H.R. 3622: "Emergency Worker and Investor Protection Act of 2002" Legislation to amend the Internal Revenue Code of 1986 to extend the golden parachute excise tax to sales of company stock by corporate insiders occurring when the company prevents rank-and-file employees from selling company stock held in their 401(k) plan, and to ensure more accurate reporting of liabilities to workers and shareholders. H.R. 3623: "Employee Savings Protection Act of 2002" Legislation to amend title I of the Employee Retirement Income Security Act of 1974 to prohibit knowing misrepresentations by fiduciaries of 401(k) plans which may induce participants and beneficiaries to act contrary to their own best interest in controlling the assets in their own accounts, and to amend title 11 of the United States Code to protect claims based on such misrepresentations. H.R 3642: "401(k) Pension Right to Know Act of 2002" Legislation to amend title I of the Employee Retirement Income Security Act of 1974 to require plan administrators of 401(k) plans to provide semiannual reports to participants and beneficiaries fully and accurately disclosing the financial health of the plan sponsor and promoting diversification of investment of their plan assets. H.R. 3677: "Safeguarding America's Retirement Act of 2002" Legislation to amend title I of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide new protections under applicable fiduciary rules for participants and beneficiaries under 401(k) plans and to provide for 3-year vesting of elective deferrals under such plans. H.R. 3840: "Inside Stock Sales Employee Notification Act of 2002" Legislation to amend title I of the Employee Retirement Income Security Act of 1974 to provide for timely notification of plan participants and beneficiaries whose individual accounts hold employer securities of insider trading in employer securities. H.R. 4075: "Ending the Double Standard for Stock Options Act" Legislation to amend the Internal Revenue Code of 1986 to provide that corporate H.R. 4075: tax benefits from stock option compensation expenses are allowed only to the extent such expenses are included in a corporation's financial statements

17. House(s) of Congress and Federal agencies contacted: HOUSE OF REPRESENTATIVES

SENATE

18. Name of each individual who acted as a lobbyist in this issue area:

Name: CANTOR-WEINBERG, JULIE Covered Official Position (if applicable): N/A Name: GOSIER, ANN M. Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. None

LOBBYING ACTIVITY.

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed

- 15. General issue area code: HCR (one per page)
- 16. Specific lobbying issues:

S. 812, H.R. 1862: "Greater Access to Affordable Pharmaceuticals Act of 2002" Legislation to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals. S. 824: "Medication Errors Reduction Act of 2001" Legislation to establish an informatics grant program for hospitals and skilled nursing facilities. S. 1055: "Privacy Act of 2001" Legislation to require the consent of an individual prior to the sale and marketing of such individuals personally identifiable information, and for other purposes. S. 1765, H.R. 3448, S. Con. Res. 117, H. Res. 427; "Public Health Security and Bioterrorism Response Act of 2001" Legislation to improve the ability of the United States to prevent, prepare for, and respond to bioterrorism Response Act of 2001" Legislation to improve the ability of the United States to prevent, prepare for, and respond to bioterrorism and other public health emergencies. Provisions relating to prescription drugs and user fees, and export control for FDA regulated products. S. 2201: "Online Personal Privacy Act" Legislation to protect the online privacy of individuals who use the Internet. S. 2590: "Patient Safety and Quality Improvement Act" Legislation to amend title X of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely effect patient safety. S. 263: "Helath Act of 2002" Legislation to encourage health care facilities, group health plans, and health insurance issuers to reduce administrative costs, and to improve access, convenience, quality, and safety, and for other purposes. S. 2639: "Health Care for Working Families Act" Legislation to provide health Service Act to provide protections for human participants in research. S. 3063: "Health Care That Works for All Americans Act of 2002" Legislation to establish a Citizens Health Care Working Group to facilitate public debate about how to improve the health care "Consumer Privacy Protection Act of 2002" Legislation to provide for

17. House(s) of Congress and Federal agencies contacted: HOUSE OF REPRESENTATIVES Health & Human Services, Dept of (HHS) Office of Management & Budget (DMB) SENATE

18. Name of each individual who acted as a lobbyist in this issue area:

Name: CANTOR-WEINBERG, JULIE Covered Official Position (if applicable): N/A Name: GOSIER, ANN M. Covered Official Position (if applicable): N/A

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- 15. General issue area code: LBR (one per page)
- 16. Specific lobbying issues:
- S. 2184: "Ergonomics Rule Bill" Legislation to provide for the reissuance of a rule relating to ergonomics. Office of Management and Budget request for comments on the costs and benefits of federal regulations: Comments submitted addressed the Family and Medical Leave Act (FMLA) implementing regulations.
- 17. House(s) of Congress and Federal agencies contacted: HOUSE OF REPRESENTATIVES Office of Management & Budget (OMB) SENATE
- 18. Name of each individual who acted as a lobbyist in this issue area:

Name: CANTOR-WEINBERG, JULIE Covered Official Position (if applicable): N/A Name: GOSIER, ANN M.

Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. None

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- 15. General issue area code: MMM (one per page)
- 16. Specific lobbying issues:

S. 1606: "Equal Access to Care Act of 2001" Legislation to amend title XI of the Social Security Act to prohibit Federal funds from being used to provide payments under a Federal health care program to any health care provider who charges a membership or any other extraneous or incidental fee to a patient as a prerequisite for the provision of an item or service to the patient. S. 1660, H.R. 3351: "Medicare Physician Payment Fairness Act of 2001" Legislation to amend title XVIII of the Social Security Act to specify the update for payments under the Medicare physician fee schedule for 2002 and to direct the Medicare Payment Advisory Commission to conduct a study on replacing the use of the sustainable growth rate as a factor in determining such update in subsequent years. S. 2547, H.R. 5234: "Medicare Hospital Outpatient Department Fair Payment Act of 2002" Legislation to amend title XVIII of the Social Security Act to 5234: "Medicare Hospital Dupatent Department Fair Payment Act of 2002." Legislation to amend title Anni or the Social Security Act to provide for fair payments under the Medicare hospital outpatient department prospective payment system. S. 2625: "Medicare Dutpatient Prescription Drug Act of 2002" Legislation to amend title XVIII of the Social Security Act to provide coverage of outpatient prescription drugs under the Medicare program. S. 2729, S. 2: "21st Century Medicare Act". Legislation to amend title XVIII of the Social Security Act to provide for a Medicare voluntary prescription drug delivery program under the Medicare program, to modernize the Medicare program, and for other purposes. S. 2736: "Medicare Rx Drug Discount and Security Act of 2002". Legislation to amend title XVIII of the Social Security Act to provide Medicare Brug Discount card that ensures access to affordable outpatient S. 3018: "Beneficiary Access to Care and Medicare Equity Act of 2002" Legislation to amend title XVIII of the prescription drugs. Social Security Act to enhance beneficiary access to quality health care services under the Medicare program, and for other purposes. S. 3041 Legislation to require the Secretary of Health and Human Services to conduct a study and submit a report to Congress on new technology payments under the Medicare prospective payment system for hospital outpatient department services. S. 3042 Legislation to provide for the recognition of new medical technologies under the Medicare inpatient hospital prospective payment system. 3882: "Preserving Patient Access to Physicians Act of 2002" Legislation to amend title XVIII of the Social Security Act to reform the Medicare physician payment update system through repeal of the sustainable growth rate (SGR) payment update system. H. Res. 465: "Medicare Modernization and Prescription Drug Act of 2002" Legislation to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program, to modernize and reform payments and the regulatory structure of the Medicare Program, and for other purposes. H.R. 5234: "Medicare Hospital Outpatient Department Fair Payment Act of 2002" Legislation to amend title XVIII of the Social Security Act to provide for fair payments under the Medicare hospital outpatient department prospective payment system. Department of Health and Human Services, Centers for Medicare and Medicaid Services, 42 CFR Parts 410 and 414 Medicare Program; Fee Schedule and Revisions to the Physician Certification Requirements for Coverage of Nonemergency Ambulance Services; Final Rule, February 27, 2002. Department of Health and Human Services, Centers for Medicare and Medicaid Services, 42 CRF Parts 413, 419, and 489 Medicare Program; Correction of Certain Calendar Year 2002 Payment Rates Under the Hospital Outpatient Prospective Payment System and the Pro Rata Reduction on Transitional Pass-Through Payments; Correction of Technical and Typographical Errors; Final Rule, March 1, 2002 Department of Health and Human Services, Centers for Medicare and Medicaid Services, 42 CFR Parts 405, 412 et al. Medicare Program; Changes to the Hospital Inpatient Prospective Payment Systems and Fiscal Year 2003 Rates; Proposed Rule, May 9, 2002. Department of Health and Human Services, Centers for Medicare and Medicaid Services, 42 CFR Parts 405 and 419, Medicare Program; Changes to the Hospital Outpatient Prospective Payment System and Calendar 2003 Payment Rates; and Changes to Payment Suspension for Unfilled Cost Reports; Final Rule, November 1, 2002. Communications with Centers for Medicare and Medicaid Services regarding changes in status indicator for New Tech APC for radiotherapy. Communications with Centers for Medicare and Medicaid Services requesting initial DRG assignment for CRT-D therapy. Communications with Centers for Medicare and Medicaid Services requesting National Coverage Decision for MADIT II indication for ICDs and provided supporting information.

17. House(s) of Congress and Federal agencies contacted: Centers For Medicare and Medicaid Services (CMS) HOUSE OF REPRESENTATIVES Health & Human Services, Dept of (HHS) Office of Management & Budget (OMB) SENATE

18. Name of each individual who acted as a lobbyist in this issue area:

Name: CANTOR-WEINBERG, JULIE Covered Official Position (if applicable): N/A Name: GOSIER, ANN M. Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. None

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- 15. General issue area code: TAX (one per page)
- 16. Specific lobbying issues:

S. 41, H.R. 41 Legislation to amend the Internal Revenue Code of 1986 to permanently extend the research credit and to increase the rates of the alternative incremental credit. S. 2050, H.R. 3857: Legislation to amend the Internal Revenue Code of 1986 to treat nominally foreign corporations created through inversion transactions as domestic corporations. S. 2087 Legislation to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for the provision of independent investment advice to employees. Legislation to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for the provision of independent investment advice to employees. S. 2119: "Reversing the Expatriation of Profits Offshore Act" Legislation to amend the Internal Revenue Code of 1986 to provide for the tax treatment of inverted corporate entities and of transactions with such entities, and for other purposes. S. 2679: "Health Insurance Access Act of 2002" Legislation to amend the Internal Revenue Code of 1986 to provide for a tax credit for offering employer-based health insurance coverage, to provide for the establishment of health plan purchasing alliances, and for other purposes. S. 2877: "Rank and File Stock Option Act of 2002" Legislation to amend the Internal Revenue Code of 1986 to ensure that stock options of public companies are granted to rank and file employees as wall as officers and directors, and for other purposes. H.R. 3884, H. Res. 456: "Corporate Patriot Enforcement Act of 2002" Legislation to amend the Internal Revenue Code of 1986 to prevent corporations from avoiding the United States income tax by reincorporating in a foreign country. H.R. 4756: "Uncle Sam Wants You Act of 2002" Legislation to amend the Internal Revenue Code of 1986 to prevent corporations to avoid the United States income tax by reincorporating in a foreign country. H.R. 4351: "Retirement Savings Security Act of 2002" Legislation to amend the Internal Revenue Code of 1986 to improve and simplify compl

17. House(s) of Congress and Federal agencies contacted: HOUSE OF REPRESENTATIVES SENATE Treasury, Dept of

Name of each individual who acted as a lobbyist in this issue area:

Name: CANTOR-WEINBERG, JULIE Covered Official Position (if applicable): N/A Name: GOSIER, ANN M. Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. None

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- 15. General issue area code: TOR (one per page)
- 16. Specific lobbying issues:
- S. 1370: "Common Sense Medical Malpractice Reform Act of 2001" Legislation to reform the health care liability system. S. 1712: "Class Action Fairness Act of 2001" Legislation to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and for other purposes. H.R. 2341, H.Res. 367: "Class Action Fairness Act of 2002" Legislation to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, to outlaw certain practices that provide inadequate settlements for class members, to assure that attorneys do not receive a disproportionate amount of settlements at the expense of class members, to provide for clearer and simpler information in class action settlement notices, to assure prompt consideration of interstate class actions, to amend title 28, United States Code, to allow the application of the principles of Federal diversity jurisdiction to interstate class actions, and for other purposes. H.R. 4600: "Help Efficient, Accessible, Low Cost, Timely Health Care (HEALTH) Act of 2002" Legislation to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.
- 17. House(s) of Congress and Federal agencies contacted: HOUSE OF REPRESENTATIVES SENATE
- 18. Name of each individual who acted as a lobbyist in this issue area:

Name: CANTOR-WEINBERG, JULIE Covered Official Position (if applicable): N/A Name: GOSIER, ANN M. Covered Official Position (if applicable): N/A

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- 15. General issue area code: TRD (one per page)
- 16. Specific lobbying issues:

Public Law 107-210, H.R. 3005, H.R. 3009, H.Res. 306: "Bipartisan Trade Promotion Authority Act of 2002" Legislation to extend trade authorities procedures with respect to reciprocal trade agreements. Efforts to remove market barriers for U.S. medical technology companies in Japan.

17. House(s) of Congress and Federal agencies contacted: Commerce, Dept of (DOC) HOUSE OF REPRESENTATIVES SENATE U.S. Trade Representative (USTR)

18. Name of each individual who acted as a lobbyist in this issue area:

Name: CANTOR-WEINBERG, JULIE Covered Official Position (if applicable): N/A Name: GOSIER, ANN M. Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. None

Signature: ON FILE Date: Feb 11, 2003

Printed Name and Title: ANN M. GOSIER - VICE PRESIDENT, GOVERNMENT AFFAIRS