



SOLVE
ON.

Incyte Statement Regarding U.S. Department of Justice Settlement

WILMINGTON, Del – May 4, 2021 – Today, the U.S. Department of Justice announced a \$12.6 million settlement with Incyte as part of its industry probe of donations to non-profit foundations by life science companies. Incyte denies any wrongdoing and the Settlement Agreement is not an admission of liability by Incyte.

The settlement specifically concerns Incyte's donations to a myelofibrosis fund established and administered by a 501(c)(3) charitable foundation from 2011 to 2014. During this time period, the foundation provided financial assistance to help patients, including federally insured patients, afford co-payments imposed by their health plans. Incyte made these donations with the understanding that its actions were lawful and appropriate, and followed guidance issued by the U.S. Department of Health and Human Services (HHS) Office of Inspector General (OIG) that permits and encourages companies to make charitable donations to independent non-profit foundations that help individuals in need afford their prescriptions by providing co-pay funding assistance. HHS-OIG recognizes "the importance of ensuring that financially needy beneficiaries who enroll in Part D receive medically necessary drugs," and thus "supports efforts of charitable organizations and others to assist financially needy beneficiaries, as long as the assistance is provided in a manner that does not run afoul of the Federal anti-kickback statute or other laws". Incyte believes that it complied with the HHS-OIG guidance, did not violate the law and did not have any intention to do so.

There have been no allegations in this case, nor evidence presented, to suggest that individuals with cancer who received financial assistance from the foundation did not need or benefit from treatment with Jakafi® (ruxolitinib). This resolution simply reflects Incyte's desire to put this matter behind it and to continue to prioritize the health and wellbeing of individuals with serious life-threatening conditions.

Incyte's donations to non-profit foundations have served – and continue to serve – as a safety net for lower-income individuals living with potentially fatal blood cancers, regardless of whether they were prescribed Jakafi or another medication. Incyte believes all individuals should have access to their prescribed medications – including medications with the potential to significantly improve survival and quality of life. Incyte remains committed to supporting charitable programs that strive to ensure that no patient is denied access to necessary medications due to financial obstacles.

It is Incyte's policy to operate in full compliance with the laws, regulations, and applicable codes of conduct related to our business in all regions in which we operate.

About Incyte

Incyte is a Wilmington, Delaware-based, global biopharmaceutical company focused on finding solutions for serious unmet medical needs through the discovery, development and commercialization of proprietary therapeutics. For additional information on Incyte, please visit [Incyte.com](https://www.incyte.com) and follow [@Incyte](https://twitter.com/Incyte).

Forward-looking Statements

Except for the historical information set forth herein, the matters set forth in this press release, including statements regarding Incyte's commitment to supporting charitable programs, contain predictions, estimates and other forward-looking statements.

These forward-looking statements are based on the Company's current expectations and subject to risks and uncertainties that may cause actual results to differ materially. Such factors include, but are not limited to, those described in the Company's reports filed with the Securities and Exchange Commission, including the Company's annual report on Form 10-K for the year ended December 31, 2020. The Company disclaims any intent or obligation to update these forward-looking statements.

###

Media Contact

Catalina Loveman +1 302-498-6171
cloveman@incyte.com