



# THE ILLINOIS BARIATRIC CENTER'S **BAND TOGETHER, HEALTH FOREVER** **LAP-BAND GIVEAWAY**

## TERMS & CONDITIONS

## CONSENT AGREEMENTS

*The Illinois Bariatric Center is sponsoring a giveaway in which one person, determined by a drawing, will receive one LAP-BAND® Surgery performed by Dr. Sidney Rohrscheib of the Illinois Bariatric Center at Olympian Surgical Suites. The first stage of the giveaway will begin Monday, May 5, 2014 at 8:00 am CST and will close for registration on Thursday, May 29, 2014 at 12:00 pm CST. Semi-finalists selected will be notified and a winner to be determined on Thursday, June 5, 2014.*

**Eligibility:** The “**Band Together, Health Forever**” giveaway is open to residents of Central Illinois who are eighteen (18) years of age or older. You must be a legal resident of the United States. You must have a body mass index (BMI) of 30 or greater and otherwise qualify medically for the procedure. Criteria to be an eligible candidate for LAP-BAND® Surgery can be found at <http://www.illinoisbariatric.com/literature/indications-risks> or [www.lapband.com](http://www.lapband.com). Entrants with a history of previous weight loss surgical procedures of any kind are ineligible to participate in giveaway. Your submission of an entry form is an indication that you have read, understand, and satisfy the eligibility requirements to be a candidate for LAP-BAND® surgery. The Illinois Bariatric Center shall be solely responsible in the final determination of medical eligibility for LAP-BAND® Surgery. All employees and immediate family members of WHMS/WDWS/WKIO, The News-Gazette, Inc., the Illinois Bariatric Center and Olympian Surgical Suites are ineligible to participate. No purchase necessary to enter or win. A purchase will not increase your chances of winning. By entering this giveaway, you agree that the personal information collected may be shared with giveaway sponsors, Olympian Surgical Suites and Dr. Rohrscheib.

**How to Enter:** To participate in giveaway, you may enter by completing an official entry form found at [www.illinoisbariatric.com/giveaway](http://www.illinoisbariatric.com/giveaway). Official entry forms can also be found at WDWS/WHMS Radio Station, Monday thru Friday, 8 am-5 pm, at: 2301 S. Neil St., Champaign, IL. Entrants may complete and submit entry forms online at [www.illinoisbariatric.com/giveaway](http://www.illinoisbariatric.com/giveaway). Completed forms may also be submitted by faxing to (217) 693-5711, emailing to [bandtogether@illinoisbariatric.com](mailto:bandtogether@illinoisbariatric.com), or mailing to the Illinois Bariatric Center at Olympian Surgical Suites, 1002 W. Interstate Dr., Champaign, IL 61822. Entry forms completed online will receive a confirmation e-mail. Mailed or faxed entries will not receive any confirmation of receipt. Forms must be legible, accurate and complete or they will be discarded. Any misinformation provided may lead to disqualification. No entry forms will be returned to entrants. Only one official entry form per person will be accepted. After you have submitted your entry form, increase your odds of winning by “liking” our Facebook Page found at [www.facebook.com/IllinoisBariatricCenter](http://www.facebook.com/IllinoisBariatricCenter) and our actual Giveaway Post page for an additional entry. Please carefully read all rules to ensure that you understand and are prepared to keep the commitment that comes with prize (LAP-BAND® surgery) and the obligations that the “**Band Together, Health Forever**” giveaway winner must fulfill. Submission of entry form by a giveaway entrant constitutes a representation that the entrant has

read, understood and satisfied the eligibility criteria and is qualified to participate in this giveaway, subject to verification by Dr. Rohrscheib.

**Deadline:** Entries for the **"Band Together, Health Forever"** giveaway will conclude at 12:00 pm CST on Thursday, May 29.

**Winner Selection and Notification:** The odds of winning are dependent upon the number of eligible entries received. On Thursday, May 29, 2014, 5 finalists will be selected based on compelling stories and information on the registration form to narrow the entries to five (5) finalists. The five (5) finalists will be notified by phone and must pass a clinical screening in order to confirm eligibility for the LAP-BAND®. Finalists must be available the week of June 2, 2014 for a clinical evaluation. On Thursday, June 5, 2014 a drawing will occur to determine the winner. Entrants need not be present at the drawing to win. Winner will be notified by phone, e-mail or United States mail. If the winner cannot be reached after a reasonable effort has been made by The Illinois Bariatric Center, or if an entrant is found to be ineligible, an alternate winner may be selected.

**General Conditions:** The **"Band Together, Health Forever"** giveaway is void where and to the extent prohibited by law and is subject to all applicable laws, including, without limitation, federal, state, and local laws and regulations. In the event of non-compliance by winner with the official rules of this giveaway or if winner does not follow advice, recommendations, or instructions of The Illinois Bariatric Center pertaining in anyway to the LAP-BAND® Surgery, an alternate winner may be selected. Prizes are non-transferable. Entrants understand that the entry form is not a HIPAA protected document and he or she is voluntarily disclosing personally identifiable health care information. Once the form is submitted it will be handled in a HIPAA compliant manner. Office visit to verify eligibility and identity does not constitute a doctor-patient relationship and no doctor-patient relationship is intended by this giveaway selection process. Any entrant is free to withdraw from the giveaway at any time, for any reason. Except where legally prohibited, by participating in the giveaway, acceptance of prize (LAP-BAND® Surgery) constitutes permission for The Illinois Bariatric Center and the Olympian Surgical Suites to use each winner's name, photograph, likeness, voice, address (city and state) and testimonials, in printed, broadcast or other media, whether now known or hereafter developed, in perpetuity, in any manner it deems appropriate in connection with promoting this or any other giveaway and/or promotion sponsored by it, without further compensation to the winner.

**Prize (LAP-BAND® Surgery):** The winner of the **"Band Together, Health Forever"** giveaway will be eligible to receive LAP-BAND® surgery at the Olympian Surgical Suites performed by Dr. Sidney Rohrscheib. In addition to LAP-BAND® surgery, patients will receive one (1) year of follow-up visits and adjustments. After the first year, your health insurance may or may not cover follow-up visits and adjustments and/or any complications that may arise. The total value of the LAP-BAND® Surgery and follow up is approximately \$25,000. As a condition of receiving and as consideration for the prize (LAP-BAND® Surgery), the winner will be required to sign a medical consent form prior to having surgery and must agree for a period of twelve (12) months following LAP-BAND® surgery:

1. To attend monthly follow-up appointments with the Illinois Bariatric Center, including dietary counseling, weigh-in and photo documentation.
2. To follow the advice, recommendation and instructions of the Illinois Bariatric Center pertaining in anyway to LAP-BAND® surgery.
3. Participate in educational seminars as requested by the Illinois Bariatric Center.

4. To be committed to lifelong follow up and lifestyle changes to be successful long-term with the LAP-BAND®.
5. To undergo LAP-BAND® surgery within 90 days after winner is selected and announced.

The winner may refuse the prize (LAP-BAND® Surgery), and choose not to proceed with the surgical procedure at his/her discretion. No substitute prize will be provided based on this refusal and another winner may be chosen.

The prize (LAP-BAND® Surgery), includes free of cost, the following listed items– A LAP-BAND® Surgery, surgeon fees, anesthesia fees, facility fees, and one year of ROUTINE follow-up visits and fills. All treatment MUST be performed by Dr. Rohrscheib at Olympian Surgical Suites. Should a complication related to the LAP-BAND® Surgery occur after surgery, recommended treatment by Dr. Rohrscheib will be provided at no additional cost to you for the first 30 months.

Items not listed in this clause are specifically excluded. The prize (LAP-BAND® Surgery), does NOT include – any required preoperative testing or additional medical testing or specialist evaluations that may be required prior to surgery. Also not included: fills performed after the first 12 months after surgery, complications arising from this procedure beyond 30 months following surgery, any subsequent procedures required or desired by the patient such as reconstructive or cosmetic procedures, any transportation charges related to attending the tests or procedure, any compensation for loss of pay from work or time off of work is also NOT included. Complications past 30 months following surgery are not covered and are not provided free of charge.

**Releases:** By participating, entrants agree that the Illinois Bariatric Center, the Olympian Surgical Suites, WHMS/WDWS, The News-Gazette, Inc., and their directors, officers, agents, employees, attorneys, and any other person or entity associated with such entities and/or promotion (hereinafter collectively called "Promoters"), shall not be liable for any claims, damages, losses or injuries, including any third party claims, arising from or relating to, in whole or in part, from the prize (the LAP-BAND® Surgery) and/or participation in the giveaway. All entrants further agree that in the event of any third party claims, damages, losses or injuries, arising from or relating to such entrant's participation in this giveaway, such entrant will indemnify and hold Promoters harmless from and against any and all such claims, including reasonable attorneys' fees related thereto. Promoters shall not be liable for entries that are delayed, lost, misdirected, misdelivered, incorrect or incomplete, and such entries will be not be eligible for this giveaway. Promoters shall not be responsible for any technical malfunctions of any telephone network, computer on-line system, computer equipment or software; program malfunctions or other failures; delayed computer transactions or network connections; any errors of any kind, whether human, mechanical or electronic; or any combination thereof, including, without limitation, any injury or damage to the computer of any entrant or any other person related to or resulting from downloading any part of giveaway. Any person attempting to defraud or in any way tamper with this giveaway will be ineligible for prizes and may be prosecuted to the full extent of the law. The Illinois Bariatric Center and Olympian Surgical Suites reserves the right, in its sole discretion, to cancel or suspend this Contest should any cause beyond its control corrupt the proper administration or security of the Contest. The Illinois Bariatric Center and Olympian Surgical Suites reserve the right to modify the rules of the Contest in any way or at any time and interpret the rules in any way as they see fit.

All taxes are the sole responsibility of the winner, including, without limitation, any federal, state, or local taxes which may be deemed applicable in such winner's jurisdiction of residence. The winner will be required to sign an IRS Form W-9 or the equivalent. This giveaway shall be governed by the laws of the State of Illinois, United States of America. By participating in this contest, entrants agree that the state and federal courts located in the State of Illinois shall have

jurisdiction over any dispute or litigation arising from or relating to this giveaway and that venue for such litigation shall be only in the Circuit Court for the City of Champaign, Illinois.

**Criteria and Restrictions:**

1. Contest is open to all otherwise qualified persons who are 18 years of age or older and who otherwise would qualify for LAP-BAND® Surgery based on the FDA guidelines, indications.
2. Due to restrictions, MEDICARE AND MEDICAID BENEFICIARIES ARE **NOT** ELIGIBLE TO PARTICIPATE IN THIS GIVEAWAY.
3. You must be a legal resident of the United States
4. You must reside in Central or Southern Illinois.
5. You must have no other health conditions that would otherwise prevent you from being medically eligible for a LAP-BAND® surgical procedure as an outpatient.
6. You must be free of any mental health condition that is not currently being treated or that might prevent you from giving appropriate informed consent to participate in this contest or the lap band procedure.
7. You must have read, understood and have agreed to be bound by and to comply the GIVEAWAY rules.
8. All entrants will be eligible to receive a free consultation or \$1000 off the **self-pay** price of LAP-BAND® Surgery procedure. All entrants will be required to move forward within 90 days of the winner being announced to be eligible for the free consultation or \$1000 discount.
9. All entrants must call and schedule a pre-screening consult during the time of the contest between May 5<sup>th</sup> and May 29<sup>th</sup>.

**Disclaimer:** Airtime was bought exclusively from WHMS-FM, WDWS-AM, and WKIO-FM to advertise the Illinois Bariatric Center's "**Band Together, Health Forever**" Free LAP-BAND® giveaway promotion. All personal health information is confidential and is solely the property of the Illinois Bariatric Center and available only to the Illinois Bariatric Center.