

**AMENDMENT NO. NINE  
TO THE  
UNIVERSITY OF COLORADO HEALTH AND WELFARE TRUST**

WHEREAS, The Regents of the University of Colorado, a body corporate and a state institution of higher education of the State of Colorado (the “University”), the University of Colorado Hospital Authority, a body corporate and political subdivision of the State of Colorado (“UCH”), and University Physicians, Incorporated, a Colorado nonprofit corporation (“UPI”), and E. Jill Pollock, Darryl W. Varnado, Kelly Fox, Anthony C. DeFurio and Elizabeth Kissick as the initial named Trustees (hereinafter referred to collectively as the “Trustee”), entered into the Declaration of Trust and Agreement to establish the University of Colorado Health and Welfare Trust (the “Trust”) effective June 28, 2010 which has been subsequently amended, and

WHEREAS, Section 9.1 of the Trust reserves to the Trust Committee the power to amend the Trust;

NOW THEREFORE, the Trust is hereby amended effective July 1, 2017.

1. Section 2.25 is amended in its entirety to read as follows:

“‘UPI’ means University Physicians, Incorporated, a Colorado nonprofit corporation, d/b/a University of Colorado Medicine.”

2. Section 6.2 (a) is amended in its entirety to read as follows:

“Except as provided in this section, any Employer which intends to withdraw from participation in the Trust must give at least one (1) year’s advance written notice to the Trust Committee. For the Fiscal Year ending June 30, 2018 only, any Employer which intends to withdraw from participation in the Trust must give at least ten (10) months’ advance written notice to the Trust Committee. Withdrawal from participation in the Trust is only permitted effective at the end of the Trust’s Fiscal Year. The Employer must provide reasonable advance notification to all of its Employees and Participants of the Employer’s withdrawal from the Trust. Upon an Employer’s withdrawal from the Trust, any Trustees who are employees of such Employer shall no longer serve as Trustees.”

3. Section 7.8 is amended in its entirety to read as follows:

“PARTICIPANT RESPONSIBILITY: Each Participant shall be responsible for providing the designated party which may be the Claims Administrator, the applicable Employer, the Plan Administrator, or the Trust Committee with his or her current address and such other information they deem necessary to administer the Benefit Plans. Any notices required or permitted to be given hereunder to the Participant shall be deemed given if directed to such address and mailed by regular United States mail or by electronic notice, as applicable. None of the Claims Administrator, the Trust Committee, the Employers nor the Plan Administrator shall have any obligation or duty to locate a

Participant. In the event a Participant becomes entitled to payment under a Benefit Plan and such payment cannot be made because (a) the current address referred to above is incorrect, (b) such Participant fails to respond to the notice sent to the current address referred to above, (c) conflicting claims to such payment, or (d) for any other reasons, the amount of such payment, if and when made, shall be that determined under the provisions of the Benefit Plan.

4. Exhibit A of the Trust Agreement is amended in its entirety to read as follows:

“UNIVERSITY OF COLORADO  
HEALTH AND WELFARE TRUST

EXHIBIT A

LIST OF BENEFIT PLANS

UNIVERSITY OF COLORADO HEALTH AND WELFARE PLAN: LIST OF  
COMPONENT BENEFIT PLANS (EFFECTIVE JULY 1, 2017)

1. CU Health Plan – High Deductible/HSA Compatible
2. CU Health Plan – Exclusive
3. CU Health Plan – Exclusive2
4. CU Health Plan – Kaiser
5. CU Health Plan – Vision
6. CU Health Plan – Medicare
7. CU Health Plan – Extended
8. CU Health Plan – Essential Dental
9. CU Health Plan – Choice Dental
10. CU Health Plan – Premier Dental

*The University of Colorado Health and Welfare Plan is sponsored by the University. The Trust is the funding vehicle.*

ADDITIONAL PLANS FUNDED THROUGH TRUST (EFFECTIVE JULY 1, 2017)

11. (a) Health Care Flexible Spending Account Component of The University of Colorado Flexible Benefits Plan ('University Flex Plan')
- (b) Pretax Premium Component of the University Flex Plan with respect to Health Premiums for the Component Benefit Plans listed in Items 1, 2, 4, 5, and 7-10 of this Exhibit A
12. Pretax Premium Component of the University of Colorado Hospital Authority Cafeteria Plan with respect to Health Premiums for the Component Benefit Plans listed in Items 1, 3, 4, and 7 of this Exhibit A

*Item 11 is sponsored by the University. Item 12 is sponsored by UCH. The Trust is the funding vehicle for Items 11 and 12.”*

This Amendment No. Nine to the Trust may be executed by electronic signature and in multiple counterparts and may be delivered by fax and other electronic means, all of which shall be deemed to be originals and all of which shall constitute one document.

This Amendment No. Nine to the Trust is adopted at a Trust Committee meeting held on June 29, 2017.

**TRUST COMMITTEE:**

**TRUSTEE**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Anthony C. DeFurio

**TRUSTEE**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Dallis Howard-Crow

**TRUSTEE**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Elizabeth Kissick

**TRUSTEE**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Kathleen M. McCreary

**TRUSTEE**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
John D. McDowell

**TRUSTEE**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Kathy Nesbitt

**TRUSTEE**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Todd Saliman