

**AMENDMENT NO. FOUR  
TO THE  
UNIVERSITY OF COLORADO HEALTH AND WELFARE PLAN AND  
TRUST HIPAA PRIVACY USE AND DISCLOSURE PROCEDURES**

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" or "University of Colorado"), as the Plan Sponsor of the University of Colorado Health and Welfare Plan ("Health and Welfare Plan") and the health care flexible spending account component of The University of Colorado Flexible Benefits Plan and the University of Colorado Hospital Authority, a body corporate and political subdivision of the State of Colorado, as Plan Sponsor of the health care spending account plan component of the University of Colorado Hospital Authority Cafeteria Plan and the Trust Committee of the University of Colorado Health and Welfare Trust (the "Trust") are responsible for maintaining the University of Colorado Health and Welfare Plan and Trust HIPAA Privacy Use and Disclosure Procedures (the "Use and Disclosure Procedures");  
and

WHEREAS, the University and Trust Committee wish to amend the Use and Disclosure Procedures, effective July 1, 2013, except as otherwise provided herein.

NOW THEREFORE, the Use and Disclosure Procedures are amended effective July 1, 2013, except as otherwise provided herein, to read as follows:

1. The first paragraph of the Introduction of the Use and Disclosure Procedures is further amended effective July 1, 2013 to read as follows:

**"Introduction**

The University of Colorado Health and Welfare Plan ('H&W Plan') is sponsored by The Regents of the University of Colorado, a body corporate and a state institution of higher education of the State of Colorado ('University') and contains the following component self-funded benefits which are funded through the University of Colorado Health and Welfare Trust ('Trust'):

1. CU Health Plan- Access Network (*Membership frozen. Only available to subscribers who were subscribers as of June 30, 2010 who have continuously subscribed.*);
2. CU Health Plan – High Deductible;
3. CU Health Plan-Exclusive;
4. Health Risk Assessment Program;

5. CU Health Plan- Administered by Kaiser Permanente Insurance Company;
6. CU Health Plan- Medicare; and
7. CU Health Plan- Vision.

In addition, the Trust is the funding vehicle for the following plans:

8. Health Care Flexible Spending Account Component of The University of Colorado Flexible Benefits Plan ('University Flex Plan') which is sponsored by the University; and
  9. Health Care Spending Account Plan of the University of Colorado Hospital Authority Cafeteria Plan ('UCH Flex Plan') which is sponsored by the University of Colorado Hospital Authority ('UCH')."
2. Article 1, Section I is amended by replacing the "Use" and "Disclosure" definitions in their entirety with the following:
- *Use.* The sharing, employment, application, utilization, examination, or analysis of individually identifiable health information by any person working for or within (1) CU Health Plan Administration for the University H&W Plan and the Flex Plan and (2) the Department of Human Resources of the University of Colorado Hospital Authority for the UCH Flex Plan, or by a Business Associate (defined below) of the Plan.
  - *Disclosure.* For information that is PHI, disclosure means any release, transfer, provision of access to, or divulging in any other manner of individually identifiable health information to persons not employed by or working within (1) CU Health Plan Administration for the University H&W Plan and the Flex Plan and (2) the Department of Human Resources of the University of Colorado Hospital Authority for the UCH Flex Plan, or by a Business Associate (defined below) of the Plan."

3. Exhibit A of the Use and Disclosure Procedures is amended in its entirety effective July 1, 2013, to read as follows:

**"Exhibit A  
to the University of Colorado Health and Welfare Plan and Trust  
HIPAA Privacy Use and Disclosure Procedures**

**List of the Members of the Workforce  
Who May Have Access to PHI**

*University of Colorado Health and Welfare Plan ('H&W Plan')*

*and*

*Health Care Flexible Spending Account Component of the University of Colorado Flexible Benefit Plan ('Health Care FSA')*

**Job Title/Classification**

Any officer or employee of the Plan Administrator, including but not limited to personnel in the CU Health Plan Administration, who performs functions on behalf or related to administration of the H&W Plan and/or Health Care FSA, such as benefit design and administration, audit, legal, accounting and systems support

Vice President of Budget and Finance for the University of Colorado, or his or her successor

Any other employee of the University of Colorado who needs access to PHI in order to perform Plan administration functions that the Plan Sponsor performs for the H&W Plan and/or the Health Care FSA (such as quality assurance, claims processing, auditing, monitoring, payroll, and appeals (if applicable))

*Health Care Spending Account Plan of the University of Colorado Hospital Authority Cafeteria Plan*

**Job Title/Classification**

Vice-President for Human Resources, University of Colorado Hospital Authority

Director, Benefits, University of Colorado Hospital Authority

Manager, Benefits, University of Colorado Hospital Authority

Benefits Specialist, University of Colorado Hospital Authority

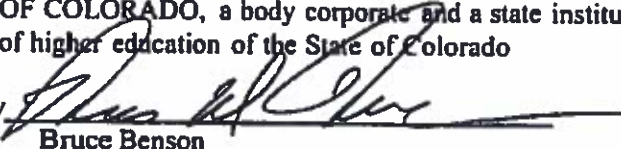
HR Benefits Analyst, University of Colorado Hospital Authority”

The University of Colorado, University of Colorado Hospital Authority and the Trust agree to Amendment No. Four to the Use and Disclosure Procedures effective as of the effective date of such amendment and the Use and the Disclosure Procedures.

This Amendment No. Four may be executed in multiple counterparts and may be delivered by fax or other electronic means, each of which shall be deemed to be an original, and all of which together shall constitute one and the same document.


**APPROVED**

THE REGENTS OF THE UNIVERSITY  
OF COLORADO, a body corporate and a state institution  
of higher education of the State of Colorado

By   
Bruce Benson  
President

Date 6/28/13

UNIVERSITY OF COLORADO HOSPITAL  
AUTHORITY, a body corporate and political  
subdivision of the State of Colorado

By   
Jeffrey Johnson  
Vice President of Human Resources

Date 11-27-13

UNIVERSITY OF COLORADO HEALTH AND  
WELFARE TRUST

By   
E. Jill Pollock  
Chairperson, Trust Committee

Date 7/1/2013

APPROVED AS TO LEGAL SUFFICIENCY  
OFFICE OF UNIVERSITY COUNSEL

By   
Jeremy Hueth  
Managing Associate University Counsel  
Special Assistant Attorney General

Date 6/28/13

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By   
Bruce Benson  
President

Date \_\_\_\_\_

UNIVERSITY OF COLORADO HOSPITAL AUTHORITY, a body corporate and political subdivision of the State of Colorado

By \_\_\_\_\_  
Jeffrey Johnson  
Vice President of Human Resources

Date \_\_\_\_\_

UNIVERSITY OF COLORADO HEALTH AND WELFARE TRUST

By   
E. Jill Pollock  
Chairperson, Trust Committee

Date 7/1/2013

APPROVED AS TO LEGAL SUFFICIENCY  
OFFICE OF UNIVERSITY COUNSEL

By   
Jeremy Hueth  
Managing Associate University Counsel  
Special Assistant Attorney General

Date 6/28/13