

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

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”) maintain the University of Colorado Health and Welfare Plan (the “Plan”) for the benefit of eligible employees; and

WHEREAS, Section 6.1 of the Plan reserves to the University the right to amend the Plan;

NOW THEREFORE, the Plan is amended effective July 1, 2020, unless otherwise noted herein, to read as follows:

1. The second WHEREAS Paragraph of the Preamble is amended in its entirety, effective July 1, 2020, to read as follows:

“WHEREAS, the purpose of the Plan is to provide certain welfare benefits for employees of the following participating employers: 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 the “University of Colorado”) and University Physicians, Incorporated, a Colorado nonprofit corporation (“UPI”), who become covered under the Plan;”

2. The NOW THEREFORE Paragraph of the Preamble is amended in its entirety, effective July 1, 2020, to read as follows:

“NOW THEREFORE, the Plan is amended and restated by the University as the Plan Sponsor and by UPI as a participating employer as set forth in the following pages, attached Appendices, and collection of documents incorporated herein by reference, which collectively comprise the Plan and the SPD, effective July 1, 2013, except as otherwise provided herein.”

3. Section 1.8 is amended in its entirety, effective July 1, 2020, to read as follows:

“1.8 Employer

‘Employer’ means each of the University and UPI and any other Employer that becomes a participating Employer under the Trust, as set forth in Appendix I.”

4. Section 1.18 is amended in its entirety, effective July 1, 2020, to read as follows:

“1.18 Trust Agreement

‘Trust Agreement’ means the Declaration of Trust entered into and made effective the last execution date of the Trust Agreement but no later than July 1, 2010, by and among the University, UCH and UPI, and the Trust Committee, as may be amended from time to time. UCH has withdrawn from participation in the entire Trust pursuant to Section 6.2 of the Trust Agreement, effective June 30, 2020.”

5. Section 4.2 is amended in its entirety, effective July 1, 2020, to read as follows:

“4.2 Employee Contributions

The benefits described in Article III shall be funded in whole or in part by Member contributions to the extent not funded by the applicable Employer. Member contributions may be deducted from a Member’s wages on a pre-tax basis in accordance with The University of Colorado Flexible Benefits Plan, a cafeteria plan maintained by the University pursuant to Code Section 125. Member contributions may also be made on a post-tax contribution basis. Member contributions shall be forwarded by each Employer to the Trust.”

6. Section 7.9 is amended in its entirety, effective March 1, 2020, to read as follows:

“7.9 Governing Law

The Plan shall be construed in accordance with applicable federal law including the Code, the Treasury regulations issued thereunder, and other guidance issued by the Department of the Treasury (as such may be issued or amended from time to time) including but not limited to applicable guidance due to the Novel Coronavirus outbreak and to the extent otherwise applicable, the laws of the State of Colorado.”

7. Appendix I is amended in its entirety, effective July 1, 2020, to read as follows:

“APPENDIX I

EMPLOYERS

Employer	Beginning	Ending
University of Colorado	07/01/10	Ongoing
University of Colorado Hospital Authority	07/01/10	06/30/20
University Physicians, Incorporated	07/01/10	Ongoing”

8. The first page of Appendix II is amended in its entirety, effective July 1, 2020 to read as follows:

“APPENDIX II

ELIGIBILITY FOR PARTICIPATION

- A. University
- B. UPI”

9. The second paragraph of “Eligible Employees” definition of Appendix II (A) University Eligibility is deleted in its entirety, effective July 1, 2020.

10. Appendix II Section (B) UCH Eligibility is deleted in its entirety, effective July 1, 2020.

11. Appendix II Section (C) UPI Eligibility is amended in its entirety, effective July 1, 2020, to read as follows:

“B. UPI ELIGIBILITY

Eligible Employees: All regular employees who have a FTE status of .5 or more, and are on UPI's monthly pay cycle. Temporary employees are not eligible.

Effective Date of Coverage: The first day of the month coincident with or immediately following the regular employee’s start date.

Special Category: A retiree who has retired from UPI and has met the qualifications described in the UPI Administration Executive Retirement Policy, Medical & Dental Insurance Benefit, Policy Statement.

Employees of UPI and their dependents and former Employees of UPI and their dependents are not eligible for CU Health Plan – Extended or CU Health Plan – International.”

12. Appendix III is amended in its entirety, effective July 1, 2020, to read as follows:

“APPENDIX III

COMPONENT DOCUMENTS

Effective July 1, 2020, or unless otherwise noted herein, the terms, conditions and limitations of the benefits described in Article III of the Plan are contained in the Component Documents listed from time to time in this Appendix III which are incorporated herein by reference. All Component Documents are healthcare components subject to HIPAA. The Component Documents listed below can be found at <http://www.becolorado.org/plans>.

A. Medical and Prescription Benefits

1. Benefits Booklet for CU Health Plan – High Deductible/HSA Compatible
2. Benefits Booklet for CU Health Plan – Exclusive
 - a. Includes Vision Benefits Booklet (Eye Exam only)
3. Benefits Booklet for CU Health Plan – Kaiser
4. Benefits Booklet for CU Health Plan – International
5. Benefits Booklet for CU Health Plan – Medicare
6. Benefits Booklet for CU Health Plan – Vision
7. Benefits Booklet for CU Health Plan – Extended
8. Benefits Booklet for CU Health Plan – Essential Dental
9. Benefits Booklet for CU Health Plan – Choice Dental
10. Benefits Booklet for CU Health Plan – Premier Dental.”

13. The “Participating Employers” subsection of Appendix IV is amended in its entirety, effective July 1, 2020, to read as follows:

<p>“Participating Employers</p>	<p>University of Colorado 1800 Grant Street, Suite 800 Denver, CO 80203</p> <p>University Physicians, Incorporated d/b/a CU Medicine 13199 East Montview Blvd. PO Box 111719 Aurora, CO 80042-1719”</p>
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14. The “Administrator” subsection of Appendix IV is amended in its entirety, effective July 1, 2020, to read as follows:

<p>“Administrator</p>	<p>Rocky Mountain Hospital and Medical Services, Inc. d.b.a. Anthem Blue Cross and Blue Shield (for <i>CU Health Plan-High Deductible/HSA Compatible, CU Health Plan-Exclusive, CU Health Plan-Medicare, CU Health Plan-Vision, and CU Health Plan-Extended</i>) 700 Broadway Denver, CO 80273-0001 800-735-6072</p> <p>ASI COBRA, LLC (effective January 1, 2013) (for <i>COBRA administration</i>) P.O. Box 6044 Columbia, MO 65205</p> <p>Kaiser Permanente Insurance Company (for <i>CU Health Plan –Kaiser</i>) 300 Lakeside Drive 26th Floor Oakland, California 94612</p> <p>Fitdigits, Inc. (effective April 14, 2016) (for <i>Be Colorado’s movement program</i>) 151 Nob Hill Ventura, CA 93003</p>
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	<p>Colorado Dental Service Inc., d/b/a/ Delta Dental (<i>for CU Health Plan – Essential Dental, CU Health Plan – Choice Dental, CU Health Plan – Premier Dental</i>) 4582 South Ulster Street Denver, CO 80237</p> <p>Worldwide Insurance Services, LLC, d/b/a GeoBlue and underwritten by 4 Ever Life Insurance Company (<i>for CU Health Plan – International</i>) 933 First Avenue, King of Prussia, PA 19406”</p>
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15. The “Administrator/Named Claims Fiduciary with respect to CU Health Plan-High Deductible/HSA Compatible, CU Health Plan-HDHP2, CU Health Plan-Exclusive, CU Health Plan-Exclusive2, CU Health Plan-Medicare, CU Health Plan-Vision, CU Health Plan-Extended” subsection of Appendix IV is amended in its entirety, effective July 1, 2020, to read as follows:

“Administrator/Named Claims Fiduciary with respect to CU Health Plan-High Deductible/HSA Compatible, CU Health Plan-Exclusive, CU Health Plan-Medicare, CU Health Plan-Vision, CU Health Plan-Extended	Rocky Mountain Hospital and Medical Services, Inc. d.b.a. Anthem Blue Cross and Blue Shield 700 Broadway Denver, CO 80273-0001 800-735-6072”
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16. The following subsection is added immediately prior to the “Named Fiduciary/Trustee Names and Addresses” subsection of Appendix IV, effective July 1, 2020:

<p>“Administrator/Named Claims Fiduciary with respect to prescription benefits for CU Health Plan-High Deductible/HSA Compatible, CU Health Plan-Exclusive, CU Health Plan-Medicare, CU Health Plan-Vision, CU Health Plan-Extended</p>	<p>CVS Caremark 2211 Sanders Road, 10th Floor Northbrook, Illinois 60062 Attn: Vice President and Senior Counsel, Healthcare Services”</p>
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17. The “Named Fiduciary/Trustee Names and Addresses” subsection of Appendix IV is amended in its entirety, effective July 1, 2020, to read as follows:

<p>“Named Fiduciary/Trustee Names and Addresses</p>	<p>Trustees: Kathy Nesbitt Elizabeth Kissick John D. McDowell Todd Saliman Terri C. Carrothers</p> <p>Address: University of Colorado Health and Welfare Trust 1800 Grant Street, Suite 800 Denver, CO 80203”</p>
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18. The first full paragraph of Appendix VI, “HIPAA Notice of Privacy Practices” is amended in its entirety, effective July 1, 2020, to read as follows:

“The participating employers in the University of Colorado Health and Welfare Plan are The Regents of the University of Colorado, a body corporate and a state institution of higher education of the State of Colorado (‘University’) and University Physicians, Incorporated (‘UPI’) (collectively the ‘Employers’).”

This Amendment No. Nine may be executed by original signature or electronic signature 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, when taken together shall constitute one document.

The University of Colorado has caused this Amendment No. Nine to be effective as provided herein, and executed as provided below.

PLAN SPONSOR

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

By: Mark Kennedy Date: 6/30/20
Mark Kennedy
President

PARTICIPATING EMPLOYER (IN ADDITION TO PLAN SPONSOR)

UNIVERSITY PHYSICIANS, INCORPORATED

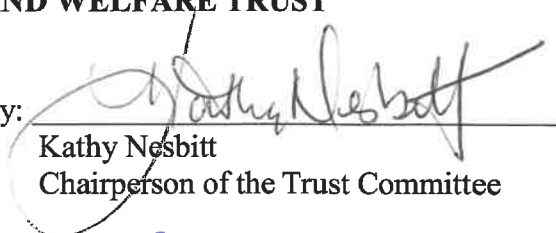
By: Brian T. Smith Date: September 14, 2020
Brian T. Smith
Executive Director

ACKNOWLEDGMENT

I, Kathy Nesbitt, Chairperson of the Trust Committee of the University of Colorado Health and Welfare Trust ("Trust"), hereby acknowledge notification and receipt on behalf of the Trust, of Amendment No. Nine to the University of Colorado Health and Welfare Plan ("Plan").

**UNIVERSITY OF COLORADO HEALTH
AND WELFARE TRUST**

By:


Kathy Nesbitt
Chairperson of the Trust Committee

Dated: June 30, 2020

