

**FIRST AMENDMENT TO THE CONTRACT BETWEEN
ADMINISTRACIÓN DE SEGUROS DE SALUD DE PUERTO RICO (ASES)
and
MCS ADVANTAGE, INC
for
THE PROVISION OF WRAPAROUND COVERAGE FOR THE GOVERNMENT
HEALTH PLAN DUAL-ELIGIBLE POPULATION**

CONTRACT NUMBER: 2023-000004A

THIS FIRST AMENDMENT TO THE CONTRACT FOR THE PROVISION OF WRAPAROUND COVERAGE FOR THE GOVERNMENT HEALTH PLAN DUAL-ELIGIBLE POPULATION (the "First Amendment") is by and between **MCS ADVANTAGE, INC** ("the Contractor"), a Medicare Advantage Organization duly organized and authorized to do business under the laws of the Commonwealth of Puerto Rico, represented by its Chief Executive Officer, Jim O'Drobinak and the **Puerto Rico Health Insurance Administration** (Administración de Seguros de Salud de Puerto Rico, hereinafter referred to as "ASES" or "the Administration"), a public corporation of the Commonwealth of Puerto Rico, and represented by its Acting Executive Director, Roxanna K. Rosario Serrano, of legal age, single and resident of San Juan, Puerto Rico.

WHEREAS, the Contractor and ASES (the "Parties") executed a Contract for the provision of wraparound coverage for the Government Health Plan dual-eligible for the Commonwealth of Puerto Rico, on July 1, 2022, to become effective January 1, 2023 (the "Contract");

WHEREAS, the Contract provides, pursuant to Article 49, that the Parties may amend such Contract by mutual written consent; and

WHEREAS, all provisions of the Contract will remain in full force and effect as described therein, except as otherwise provided in this First Amendment.

NOW, THEREFORE, and in consideration of the mutual promises herein contained and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to clarify and/or amend the Contract as follows:

I. AMENDMENTS

1. To amend Appendix B (1) (22), to increase the wrap around payment from twenty (\$20.00) to fifty dollars (\$50.00).
2. To amend Section 9.1.4.1 to correct the title of HEDIS. For such purposes the new Section 9.1.4.1 must read as follows:

9.1.4.1. Healthcare Effectiveness Data and Information Set (HEDIS).

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II. RATIFICATION

All other terms and provisions of the original Contract, and of any and all documents incorporated by reference therein, not specifically deleted or modified herein shall remain in full force and effect. The Parties hereby affirm their respective undertakings and representations as set forth therein, as of the date thereof. Capitalized terms used in this First Amendment, if any, shall have the same meaning assigned to such terms in the Contract.

III. EFFECT; CMS and FOMB APPROVAL

The Parties agree and acknowledge that this Amendment, including any attachments, is subject to approval by the United States Department of Health and Human Services Centers for Medicare and Medicaid Services ("**CMS**") and the Financial Oversight and Management Board for Puerto Rico ("**FOMB**"), and that ASES shall submit this Amendment for CMS and FOMB approval. Once approvals are granted, ASES shall promptly notify the Contractor in writing. CMS and FOMB approvals, as well as ASES's written communication to the Contractor, shall be incorporated, and made a part of the Contract between the Parties.

The Contractor represents and warrants that the information included in the Contractor Certification Requirement is complete, accurate and correct, and that any misrepresentation, inaccuracy or falseness in such Certification will render the contract null and void and the Contractor will have the obligation to reimburse immediately to the Commonwealth any amounts, payments or benefits received from the Commonwealth under the proposed contract.

IV. AMENDMENT EFFECTIVE DATE

For purposes of the provisions contained herein, this First Amendment shall become effective on January 1, 2023.

V. ENTIRE AGREEMENT

This First Amendment constitutes the entire understanding and agreement of the Parties with regards to the subject matter hereof, and the Parties by their execution and delivery of this First Amendment to the Contract hereby ratify all of the terms and conditions of the Contract and as supplemented by this First Amendment.

The Parties agree that ASES will be responsible for the submission and registration of this First Amendment in the Office of the Comptroller General of the Commonwealth, as required under law and applicable regulations.

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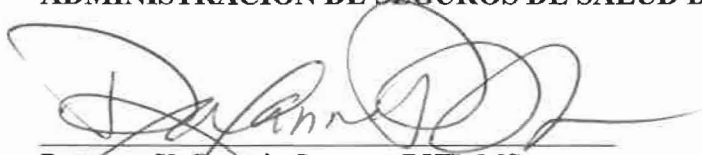
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ACKNOWLEDGED BY THE PARTIES by their duly authorized representatives on this 29
day of September, 2023.

ADMINISTRACIÓN DE SEGUROS DE SALUD DE PUERTO RICO (ASES)



Roxanna K. Rosario Serrano, BHE, MS
Acting Executive Director
EIN: 66-05000678

09/29/2023

Date

MCS ADVANTAGE, INC.



Jim O. Drobinak
Chief Executive Officer
EIN: 66-0642758

09/29/2023

Date

Account No. 243-5327, 5331-2024

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**Monthly Payment of Premiums per Member
by Geographic Areas**

MCS ADVANTAGE, INC.

<i>Service Area:</i>	<i>H5577-002</i> <i>H5577-017</i> <i>H5577-029</i> <i>H5577-037</i> <i>H5577-041</i> <i>H5577-046</i>
East	\$50.00
Metro-North	\$50.00
North	\$50.00
North East	\$50.00
San Juan	\$50.00
South East	\$50.00
South-West	\$50.00
West	\$50.00

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CERTIFICACIÓN

Por la presente se certifica que con relación a enmienda al contrato de Platino 2023 la Oficina de Finanzas ha evaluado el presupuesto asignado y ha realizado el cómputo pertinente.

De esta forma, la cuantía de la enmienda de Platino 2023-2024 contemplando el aumento en *wrap-around payment* es:

	FY2024
HUM	7,845,958
MCS	43,643,138
MMM	64,729,149
SSS	22,066,755
	<u>138,285,000</u>

La cifra de cuenta correspondiente al contrato es:

- 243- 5327, 5331

Y para que así conste firmamos el 22 de septiembre de 2023

Carmen Leticia Rodriguez Santiago
Directora Auxiliar Finanzas

Osvaldo Guzmán López
Supervisor Presupuesto

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