

## **AMENDMENT TO BUSINESS ASSOCIATE AGREEMENT**

This amendment (“Amendment”), effective January 1, 2013, amends and is made a part of that Business Associate Agreement (“BA Agreement”), dated August 15, 2003, by and among Milliman USA, Inc. (“Business Associate”) and Capital BlueCross, Capital Advantage Insurance Company®, Keystone Health Plan® Central, and/or Avalon® Insurance Company (collectively “Company”).

**NOW, THEREFORE**, intending to be legally bound hereby, Company and Business Associate agree to the terms of this Amendment.

- 1. Additional Parties.** The term “Company,” as defined in the preamble to the BA Agreement, is amended to include Capital Advantage Assurance Company® and any Capital BlueCross affiliate that contracts with Business Associate to perform functions or services that involve the Use or Disclosure of Protected Health Information.
- 2. Binding Effect.** Business Associate may reject the terms of this Amendment by providing written notice of rejection to Company’s Legal Department within thirty (30) days of receiving this Amendment. If Business Associate fails to provide such notice, Business Associate will be deemed to have agreed to this Amendment pursuant to the “Company Amendment of Agreement” provision of the BA Agreement. This Amendment will then be binding on Business Associate on the effective date named above without signature or other action by Business Associate.



## Capital BlueCross

November 5, 2012

Courtney White  
Milliman USA, Inc.  
3424 Peachtree Road NE, Suite 1900  
Atlanta, GA 30326-1123

Re: Amendment Adding Capital Advantage Assurance Company® as Party to Business Associate Agreement

Dear Courtney:

Attached for your files is an amendment to the HIPAA Business Associate Agreement currently in place between you as the Business Associate and Capital BlueCross, Capital Advantage Insurance Company®, Keystone Health Plan® Central and/or Avalon® Insurance Company.

Capital BlueCross will be issuing certain products through its new wholly-owned subsidiary Capital Advantage Assurance Company® ("CAAC"), effective January 1, 2013. Since your Business Associate Agreement with Capital BlueCross includes support for these products, it is necessary to add CAAC as a party.

If you have any questions about this amendment, please contact me at 717-541-6087 or [Mell.Mckelvey@capbluecross.com](mailto:Mell.Mckelvey@capbluecross.com).

Sincerely,

Melodee McKelvey  
Vice President, Actuarial Services

Enclosure

cc: Jennifer Bordner, Privacy Administrator