

**THIRD AMENDMENT TO
WORKERS' COMPENSATION/UTILIZATION REVIEW/BILL REVIEW
CLAIMS ADMINISTRATION AGREEMENT
Dated August 15, 2005**

This Third Amendment to that certain Claims Service Agreement, including all exhibits and all amendments thereto (herein collectively referred to as the "Agreement") with effective date of August 15, 2005 by and between **CITY OF MILPITAS** hereinafter ("Client") and York Risk Services Group, Inc., (previously York Insurance Services Group, Inc. – California) hereinafter (York");

WITNESSETH

WHEREAS, the parties wish to extend the Term of this Agreement as set forth herein; and

WHEREAS, the parties wish to amend the Claims Administration Service Fees of this Agreement as set forth herein.

WHEREAS, the parties wish to amend bill review and utilization review terms,

NOW THEREFORE, the parties hereby agree as follows:

1. The Term of this Agreement shall be extended to include: July 1, 2015 to June 30, 2016,
2. The Claims Administration Service Fees of this Agreement shall be amended in accordance with the following:

Workers' compensation Claims Administration Services		Flat Annual Fee
July 1, 2015 – June 30,2016		\$129,000
Pricing Notes		
The annual flat fee proposed contemplates handling all claims activity in a 12-month period (claims already open at the beginning of the 12-month term and any new claims reported during the 12-month term). The pricing quoted includes all indemnity, future medical and medical only claims as listed. The flat annual fee includes all services detailed in this proposal, including, but not limited to, the ancillary services listed below.		
Ancillary Services included in flat annual fee		
Excess Reporting Account Management Data Management Trust Account (Excluding Check and Bank Charges) Management Attendance at Claim Review Meetings	Monthly Computer Loss Information Special Quarterly and Annual Reports Claim Reporting (fax, telephonic) On-Line 5020 Reporting Preparation of 1099's Annual Stewardship Report Standard Reporting Requirements	

Managed Care Fees:

Detail	Fee
Bill Review	
Fee Per Bill	\$9.00
PPO and Other Negotiated Savings	24%
Fee Schedule Savings	
Duplicates	No Charge
eBilling	No Charge
EDI Reporting	No Charge
Medical Case Management	
Telephonic Nurse Case Management	\$98.00 per hour
Field Case Management	\$98.00 per hour, plus IRS Mileage Rate
Utilization Review	
Utilization Review Procedure Rate – Level 1	\$67.00
Utilization Review Procedure Rate – Level 2	\$149.00 per event
Utilization Review Procedure Rate – Level 3	\$149.00 per event
Medical Director Review/Peer Review	\$225.00 per hour
Specialty Review/Appeals	\$400.00 per hour

Optional Investigation Services

York charges \$81.00 per hour plus expenses at the rates outlined below.

Allocated Expenses for Investigation Services

<i>Expenses</i>	<i>Rates</i>
Miles	Prevailing IRS rate
Photographs	\$2.50 per color print
Photocopying	\$.25 per page
Telephone Charges	Included
Secretarial Services	\$6.00 per page
File Set Up	\$25.00 per file
Audio Cassettes	\$3.00 per cassette
Video Cassettes	\$15.00 per cassette
Other Expenses	At cost
Data Conversion	Included

Allocated Loss Adjustment Expense (ALAE)

- Fees of outside counsel for claims in suit, coverage opinions and litigation and for representation at hearings or pretrial conferences.
- Fees of court reporters and all court costs, court fees and court expenses
- Fees for service of process
- Costs of undercover operatives and detectives
- Costs for employing experts for the preparation of maps, professional photographs, accounting, chemical or physical analysis, diagrams
- Costs of legal transcripts of testimony taken at coroner's inquests, criminal or civil proceedings
- Costs for independent medical examination or evaluation for rehabilitation
- Costs for copies of any public records or medical records
- Costs of depositions and court reported or recorded statements
- Costs and expenses of subrogation
- Costs of engineers, handwriting experts or any other type of expert used
- Witness fees and travel expenses
- Costs of photographers and photocopy services
- Costs of appraisal fees and expenses
- Costs of outside investigation, signed or recorded statements
- Managed care services, excluding NCM/TCm which are medical expenses or the flat annual option

4. Except as noted above, this Agreement shall remain unchanged.

In witness whereof, the parties have executed this amendment as listed below with effective date of July 1, 2015.

CITY OF MILPITAS

YORK RISK SERVICES COMPANY, INC.

By: _____

By: _____

Name: _____

Jody A. Gray

Title: _____

Senior Vice President

Date: _____

Date: _____