



Indiana University Health

## **SUMMARY PLAN DESCRIPTION**

### **Indiana University Health Defined Contribution Supplemental Executive Retirement Plan**

**July 2016**

## **Purpose**

The purpose of the Indiana University Health Defined Contribution Supplemental Executive Retirement Plan (“DC SERP”) is to provide reasonable retirement benefits to a select group of management or highly compensated employees to encourage their continued interest in the success of Indiana University Health, Inc. (“IU Health”) or an adopting employer. A participant’s entitlement to the benefits depends on the participant’s and organization’s future performance.

## **Eligibility**

Participants in the DC SERP are key employees selected by IU Health and adopting employers who qualify as members of a “select group of management or highly compensated employees” for purposes of the Employment Retirement Income Act of 1974 (“ERISA”). Unless and until changed by IU Health, IU Health’s participants in the DC SERP are the President and CEO, Executive Vice Presidents, and Senior Vice Presidents. Each adopting employer will select its own participants.

## **Plan Accounts**

Accounts for Recordkeeping Only: DC SERP accounts are utilized solely as a device for the measurement and determination of the amounts to be paid to participants under the DC SERP. The assets held in the trust with Great-West Trust Company, LLC (Great-West Trust) as trustee are IU Health’s and adopting employers’ property subject to IU Health’s and adopting employers’ general creditors. The rights of participants, or of participants’ beneficiaries or estates, to benefits under the Plan are solely those of unsecured creditors of IU Health and adopting employers. Any asset held by Great-West Trust in connection with the Plan shall not be deemed to be held as security for the performance of IU Health’s and adopting employers’ obligations under the Plan, but shall be, and remain, a general, unpledged, and unrestricted asset of IU Health and adopting employers.

**Retirement Date:**

**For Participants joining the Plan prior to January 1, 2009**

The Retirement Date when the DC SERP benefit will be distributable to an actively employed participant is the participant's 60<sup>th</sup> birthday, unless the Participant elected a different Retirement Date prior to January 1, 2009.

A Participant who made an election **prior** to January 1, 2009 may have chosen either of the following options:

- Maintain the age 62 retirement date without the ability to push out to age 65
- Elect age 60 as the retirement date with the ability to push out to age 65 (push out must be elected at least 12 months prior to 60<sup>th</sup> birthday)
- Elect age 65 as the retirement date without the ability to push out one time

**For Participants joining the Plan on or after January 1, 2009**

The Retirement Date when the DC SERP benefit will be distributable to an actively employed participant is the participant's 60<sup>th</sup> birthday, unless the participant is age 58 or older when he/she joins the Plan, in which event the participant's Retirement Date is the second anniversary of the participant's birthday next following the date the participant joins the Plan. A participant may postpone his/her Retirement Date one time as follows: At least one year prior to the participant's original Retirement Date, the participant may irrevocably elect to postpone the Retirement Date to the participant's 65<sup>th</sup> birthday or, if later, the fifth anniversary of the original Retirement Date.

**For Participants joining the Plan on or after January 1, 2016**

The DC SERP benefit will be distributable to an actively employed participant the July 31<sup>st</sup> of the fifth calendar year after the year the amount of the credit percentage or credit amount is deposited into the Participant's account. If the Participant separates from service while age 65 or older, any amounts remaining unvested will immediately and fully vest.

Crediting Contributions: Each calendar year a participant remains employed by IU Health or an adopting employer, IU Health and the adopting employer may credit the participant's DC SERP account from time to time during the Plan Year with an annual amount equal to (i) the Credit Amount or (ii) the Participant's Base Salary multiplied by the Participant's Credit Percentage for the Plan Year. Contributions will be made unless challenging financial circumstances require that IU Health reconsider contributions in a particular year. If a Participant has an employment status or pay change mid-year, the following rules apply:

- For a participant who joins the plan after January 1<sup>st</sup> of a plan year, base salary is determined as of the first day of participation in the plan and contributions are made based on the participant's base salary from the first day of participation through the end of the plan year.
- For a participant who discontinues participation in the plan before December 31<sup>st</sup> of a plan year, contributions will be made based on the participant's base salary from the first day of the plan year through the date on which participation in the plan ended.
- A participant who changes job title during the plan year may experience a change in salary or the percentage used to determine contributions. In that case, the participant will receive contributions equal to the sum of (i) the applicable credit percentage for the first position multiplied by the participant's base salary paid for the first position, plus (ii) the applicable credit percentage for the second position multiplied by the participant's base salary paid for the second position.

Investment Return: The Investment Return on a DC SERP account will be adjusted on a daily basis. The Investment Return is the amount necessary to increase or decrease a participant's DC SERP account to reflect changes in the value of the Investment Options selected by the participant. The Investment Return will also be adjusted to reflect surrender or other charges that would have been incurred if the account were not solely for recordkeeping purposes and if the account had actually been invested in the Investment Options and withdrawn to pay benefits.

Investment Options: The available Investment Options and the rules for allocating a DC SERP account among such Options will be determined by the IU Health Benefit Plan Investment Committee (BPIC); and the BPIC may prospectively amend such Options from time to time. Each adopting employer has appointed the IU Health its agent for all purposes connected with the DC SERP, including the selection of available Investment Options. The Investment Options for the DC SERP are available online at [www.empower-retirement.com/participant](http://www.empower-retirement.com/participant). If you wish to change investment allocations among the available Investment Options, or have any questions regarding the Investment Options, you may contact Empower Retirement, P.O. Box 5520, Denver, CO, 80217. You may also make changes to Investment Options by calling Empower Retirement Participant Services at 844.IUH.5840.

If a participant fails to select an Investment Option, the Investment Option for the participant will be a JPMorgan Smart Retirement fund that most closely matches the participant's retirement date, based on his or her date of birth.

Liability: Neither IU Health, IU Health's Board of Directors or any member of the Board, the BPIC or any member of the BPIC, nor any agent, employee, or advisor of IU Health shall be liable for any decrease in a participant's DC SERP account as a result of the performance or lack thereof of any Investment Option.

## **Benefits**

Amount: A participant's DC SERP benefit is equal to the amount credited to the participant's DC SERP account as of the date the participant (or the participant's beneficiary) becomes entitled to such benefit.

Entitlement to Benefit: A participant is entitled to an amount equal to the participant's DC SERP account upon the earliest of the following to occur:

1. Remaining employed to his or her Retirement Date
2. Separation from Service for Disability
3. Involuntary termination without Reasonable Cause
4. Death
5. Five year class vesting for amounts credited after January 1, 2016

Alternatively, a Participant who so elected **prior** to January 1, 2009 will be entitled to an amount equal to the Participant's DC SERP account based upon completing a 24 month non-compete period after the age of 55.

Forfeitures: A participant will forfeit all rights to receive any unpaid DC SERP account if:

1. IU Health or an adopting employer terminates the participant for Reasonable Cause
2. IU Health or an adopting employer determines that it had grounds to terminate the participant for Reasonable Cause and that such grounds (but not necessarily IU Health's or an adopting employer's determination) arose prior to the participant's actual termination for other reasons

Payment of Benefits: IU Health and adopting employers will distribute a participant's DC SERP benefit in a lump sum not later than 90 days after the event entitling the participant to benefit payments.

## **Survivor Benefits**

General: If a participant dies before receiving DC SERP benefits and before forfeiting the benefits, IU Health and adopting employers will pay the participant's beneficiary the balance credited to the participant's account in a lump sum within 90 days after the participant's death. If a beneficiary dies before receiving the payment due such beneficiary, the payment will be paid to the beneficiary's estate.

Beneficiary Designations: A participant may designate a beneficiary by logging on to [www.empower-retirement.com/participant](http://www.empower-retirement.com/participant). If you have any questions or would like to designate a trust, please call Empower Retirement Participant Services at 844.IUH.5840 between 8:00 a.m. and 10:00 p.m. EST Time, Monday through Friday, excluding holidays. Press "0" to opt out to a live representative.

A participant may revoke or modify the designation in the manner provided in the preceding paragraph.

A participant's beneficiary designation will be automatically revoked in the event of (i) the death of the beneficiary prior to the participant's death or (ii) if the beneficiary is the participant's spouse, in the event of dissolution of marriage. If the participant dies without a valid beneficiary designation, all payments will be made to the participant's surviving spouse, if any, and if none, to the participant's estate.

## **Claims Procedure**

If a participant or a participant's beneficiary believes he or she is entitled to a benefit under the DC SERP and the payment of such benefit is denied, the participant or the participant's beneficiary may file a written claim for the benefit with the Plan Administrator, Steven L. Wantz, Senior Vice President, Administration and Chief of Staff, Indiana University Health, Inc., Fairbanks Hall IU/Indiana University Health Education & Resource Center, 340 W. 10<sup>th</sup> Street, P.O. Box 1367, Indianapolis, IN 46206-1367.

The claim will normally be granted or denied within 90 days. If the claim is denied and the participant or the participant's beneficiary wishes to contest the denial, the participant or the participant's beneficiary must appeal in writing to IU Health within 60 days. The participant or beneficiary will hear from IU Health within 60 days of the date the appeal is filed, unless the time to review the appeal is extended an additional 60 days. The claims procedure is set forth in detail in the plan document, which may be obtained from the Plan Administrator.

### **Non-Alienation of Benefits**

No benefit payable at any time under the DC SERP will be subject in any manner to alienation, sale, assignment, pledge, attachment, or encumbrance of any kind.

### **Amendment and Termination of Plan**

IU Health may amend the DC SERP at any time, provided no amendment retroactively reduces benefits already accrued, unless the participant consents. Although IU Health intends the DC SERP to be permanent, IU Health reserves the right to terminate it at any time. Each adopting employer has delegated this authority to IU Health.

### **Definitions**

"Disability" means a Participant's condition when, by reason of any medically determinable physical or mental impairment which can be expected to result in death or can be expected to last for a continuous period of not less than 12 months, the Participant receives income replacement benefits for a period of not less than 3 months under an accident and health plan covering IU Health's, an adopting employer's, or an Affiliate's employees.

"Reasonable Cause" means:

- a. Loss of any professional license required to perform the duties of a participant's position.
- b. Gross negligence, fraud, or willful violation of any law or significant IU Health or adopting employer policy, committed in connection with the position and resulting in a material adverse effect on IU Health or the adopting employer.



c. Failure to perform substantially (for reasons other than Disability) the duties reasonably assigned or appropriate to the position in a manner reasonably consistent with prior practice.

“Reasonable Cause” does not include ordinary negligence or failure to act, whether due to an error in judgment or otherwise, if the participant has exercised substantial efforts in good faith to perform the duties reasonably assigned or appropriate to the position.

### **Data**

Plan Name: Indiana University Health Defined Contribution Supplemental Executive Retirement Plan

Name and Address of Plan Sponsor: Indiana University Health, Inc., Fairbanks Hall IU/Indiana University Health Education & Resource Center, 340 W. 10<sup>th</sup> Street, Indianapolis, IN 46206-1367

Employer Identification Number: 35-1955872.

Type of Plan: The DC SERP is a non-qualified defined contribution plan.

Plan Administrator and Agent for Service of Legal Process: Steven L. Wantz, Senior Vice President, Administration and Chief of Staff, Indiana University Health, Inc., Fairbanks Hall, IU/Indiana University Health Education & Resource Center 340 W. 10<sup>th</sup> Street, Indianapolis, IN 46206-1367

Trustee: The DC SERP is unfunded. Great-West Trust Company, LLC, 8515 East Orchard Road, Greenwood Village, CO 80111, serves as trustee of the Trust under the Indiana University Health Defined Contribution Supplemental Executive Retirement Plan, which Trust is associated with the DC SERP. The assets held by Great-West Trust as trustee are IU Health’s property, and the trust is thus unfunded.

Recordkeeper: Empower Retirement  
8515 E. Orchard Road  
Greenwood Village, CO 80111  
Phone: (844) IUH - 5840

### **Rights**

As a participant in the DC SERP, you may be entitled to rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). If you have any questions about your rights under ERISA, you should contact the nearest office of the Employee Benefits Security Administration, U.S. Department of Labor, listed in your telephone directory, or the Division of Technical Assistance and Inquiries, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue N.W., Washington, D.C. 20210.

**This Summary Plan Description is intended only as a summary of the highlights of the DC SERP. It is not a complete description of the Plan. In the event of any inconsistencies between this summary and the actual provisions of the Plan document, the actual plan document governs. If you wish to read the Plan, a copy is available for inspection upon request from the Plan Administrator, Steven L. Wantz, Senior Vice President, Administration and Chief of Staff, Indiana University Health, Inc., Fairbanks Hall IU/Indiana University Health Education & Resource Center, 340 W. 10<sup>th</sup> Street, Indianapolis, IN 46206-1367, during regular business hours.**