

## SUMMARY OF RESOLUTION

### Authorization to Amend Port Authority of Allegheny County Cafeteria Plan

Port Authority of Allegheny County (Authority) maintains Port Authority of Allegheny County Cafeteria Plan (Plan). The purpose of Plan is to offer certain health benefits on a pre-tax basis to eligible employees and to offer reimbursement accounts for certain medical expenses and dependent care expenses. The Authority has retained responsibility for the administration of Plan pursuant to the applicable plan documents.

The Authority has also reserved the right to amend Plan. The Authority currently wishes to amend Plan to make certain changes required by applicable changes in the law.

The resolution authorizes an amendment of Plan as set forth in Exhibit A to the resolution.

6/24/11  
J. Letwin

## **RESOLUTION**

**WHEREAS**, Port Authority of Allegheny County (Authority) has previously established and maintains Port Authority of Allegheny County Cafeteria Plan (Plan); and

**WHEREAS**, the Authority desires to amend Plan effective January 1, 2011, as set forth in Exhibit A hereto and made a part hereof in order to comply with the Patient Protection and Affordable Care Act (Act) by clarifying Plan's definition of dependent and prohibiting reimbursement of over-the-counter medications under the healthcare spending account without a prescription as required by Act; and

**WHEREAS**, the Authority has reserved, to itself, the right to amend Plan.

**NOW, THEREFORE, BE IT RESOLVED**, that the Authority hereby approves and adopts the amendments to Plan in the form attached hereto as Exhibit "A," effective January 1, 2011.

**RESOLVED FURTHER**, that in order to fully carry out the intent and effectuate the purposes of this resolution, the Authority's assistant general manager Human Resources is hereby authorized to take all such further action and execute and deliver all further instruments, documents and/or amendments to Plan, in a form approved by counsel, as may be necessary or proper to implement Act and/or further changes in applicable laws.

**RESOLVED FURTHER**, that all previous actions taken by the proper officers, employees and counsel of the Authority to implement the foregoing are hereby ratified and confirmed.

**AMENDMENT TO THE  
PORT AUTHORITY OF ALLEGHENY COUNTY CAFETERIA PLAN**

The Port Authority of Allegheny County (the "Port Authority") has the authority to amend the Port Authority of Allegheny County Cafeteria Plan (the "Plan") and now desires to do so.

NOW, THEREFORE, the Plan is hereby amended, effective January 1, 2011, as follows:

1. The Plan's provisions relating to coverage of children of Participants are clarified by adding the following in the appropriate section of the Plan:

"Notwithstanding any other provision in the Plan to the contrary, the premiums or expenses of any adult child of a Plan participant shall be eligible for pre-tax benefits provided under any component of this Plan (except any dependent care assistance program) if such adult child is eligible for major medical plan coverage."

2. The Plan's health flexible spending arrangement provisions are amended by adding the following to the portion dealing with expenses that are (or are not) reimbursable under such arrangement:

"Effective January 1, 2011, medicine and drugs are not reimbursable under this arrangement unless the medicine or drug: (1) requires a prescription; (2) is available without a prescription and the individual obtains a prescription; or (3) is insulin."

**IN WITNESS WHEREOF**, the Port Authority has caused this amendment to the Plan to be executed by its duly authorized officers this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST:

Port Authority of Allegheny County

By \_\_\_\_\_

By \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_