

*Amendments to Articles II, V, VI and IX of the Amended and Restated Articles of Agreement
of
New Hampshire Individual Health Plan Benefit Association*

ARTICLE II. ADDRESS

The Corporation’s principal place of business is located at One Pillsbury Street, Suite 200, Concord, New Hampshire 03301. The Corporation’s principal place of business may be changed from time to time by the Corporation’s Board of Directors, in its discretion.

ARTICLE V. PURPOSES AND POWERS

A. Purposes. Pursuant to (i) the Orders of the New Hampshire Insurance Commissioner (the “Commissioner” dated November 26, 1997 and February 25, 2020, as supplemented by a Supplemental Order dated September 30, 2020, respectively (collectively the “Orders”), and (ii) RSA 404-G, as enacted effective August 25, 1998 by 1998 N.H. Laws 340:6, and as amended through 2023 N.H. Laws 92:1 effective January 1, 2024, the Corporation is established for the following purposes:

- I. To protect the citizens of New Hampshire who participate in the individual health insurance market by providing a mechanism to equitably distribute the excessive risk sometimes associated with this market and to promote market stability.
- II. To promote the purposes and carry out the requirements of RSA 404-G, as it may be amended from time to time, under oversight by the Commissioner.
- III. To support the affordability and accessibility of health insurance in New Hampshire’s individual market.
- IV. To establish one or more individual health insurance market mandatory risk sharing plans as a mechanism to distribution the risks associated within the nongroup, individual market.
- V. To support the New Hampshire Granite Advantage Health Care Program established in RSA 126-AA or any successor program.
- VI. To establish an assessment mechanism to fund the Corporation’s programs as defined in RSA 404-G:2(IX) and the Corporation’s support of the New Hampshire Granite Advantage Health Care Program established in RSA 126-AA or any successor program.

As required by RSA 404-G:5, the Corporation will conduct each of its Programs pursuant to a Plan of Operation, which may be amended and restated from time to time (the “Plan of

Operation”). Any reference to “Plans of Operation” in these Articles of Agreement means the Plan of Operation. All other capitalized terms used but not defined in these Articles of Agreement will have the meaning ascribed to them by RSA 404-G.

B. References to RSA 404-G. All references in these Articles of Agreement to RSA 404-G or portions thereof include the statute as it may be amended from time to time, unless the context clearly requires otherwise.

C. Corporate Powers. The Corporation, acting through its Board of Directors, will possess all powers and be entitled to take all actions of a nonprofit, voluntary corporation organized under RSA 292, any additional powers approved by the Commissioner under RSA 404-G:3(I), all powers set forth or referenced in RSA 404-G:3(II), and any further powers available under applicable law. Nothing in these Articles of Agreement will be deemed to authorize or permit the Corporation to carry on any business for profit, to exercise any power, or to do any act that a corporation formed under RSA 292 or any substitute statute may not lawfully carry on or do.

ARTICLE VI. MEMBERS

The Corporation will not have capital stock or membership certificates, but it has members who have those rights provided under RSA 292, RSA 404-G, these Articles of Agreement and under the Corporation’s Bylaws. Membership in the Corporation shall be comprised of all Assessable Entities as defined in RSA 404-G:2(I).

ARTICLE IX. BOARD OF DIRECTORS

The affairs of the Corporation will be governed by a Board of Directors, the composition of which will be as set forth in RSA 404-G:4(II). The procedures for electing the Board of Directors and its officers will be set forth in the Corporation’s Bylaws, and will conform to all applicable requirements of RSA 404-G:4.