

FOURTH AMENDMENT

MEMORIAL HEALTHCARE SYSTEM 401(a) RETIREMENT PLAN

WHEREAS, the South Broward Hospital District, DBA Memorial Healthcare System (the “Company”) established and maintains the Memorial Healthcare System 401(a) Retirement Plan (the “Plan”) effective as of November 1, 2011 for the benefit of eligible employees; and

WHEREAS, the Plan was most recently restated effective January 1, 2014; and

WHEREAS, the Plan and related trust are intended to conform to and qualify under Sections 401(a) and 501(a) of the Internal Revenue Code of 1986, as amended, as such provisions apply to governmental plans; and

WHEREAS, the Plan has been amended three times since it was restated effective January 1, 2014, and the Company now desires to amend the Plan to comply with the Setting Every Community Up for Retirement Enhancement Act of 2019 (“SECURE Act”) and the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”).

NOW THEREFORE, to effectuate the foregoing, the Plan is hereby amended as set forth hereinafter:

1. Effective for Plan Years beginning after December 31, 2015, the first sentence of Section 3.03(c) is hereby amended to read as follows:

For purposes of this Section, the term “remuneration” with respect to any Participant shall mean the total compensation, within the meaning of Section 415(c)(3) of the Code, paid to the Participant by the Employer within the limitation year and shall include difficulty of care payments as defined in Section 131(c)(1) of the Code, differential wage payments as defined in Section 3401(h)(2) of the Code, and any amounts that are excludable from the income of the Participant under Section 106 of the Code that are not available to a Participant in cash in lieu of group health coverage under a Code Section 125 cafeteria plan solely because the Participant is unable to verify that he or she has other health coverage, so long as the Employer does not request or collect information regarding the Participant’s other health coverage as part of the enrollment process for the Employer-sponsored health plan.

2. Effective January 1, 2022, Section 4.01 is hereby amended by inserting immediately after the second paragraph therein the following new paragraph:

For purposes of clarity, distribution of the Vested Portion of the Participant’s Account to the Participant or his Beneficiary shall be paid only in the form of a lump sum and payment of such lump sum may be deferred no later than as permitted under Section 4.03 hereof.

3. Effective January 1, 2022, Section 4.03(a)(ii) is hereby amended to read as follows:
 - (ii) commence not later than the required beginning date with distribution to the Participant made over the life of the Participant or joint lives of the Participant and the Participant's Eligible Designated Beneficiary (as hereinafter defined) for a period not longer than the "life expectancy" (as hereinafter defined) of the Participant or the life expectancy of the Participant and his Eligible Designated Beneficiary.

4. Effective January 1, 2022, Section 4.03(b)(i) is hereby amended to read as follows:
 - (i) If the Participant's surviving spouse is the Participant's sole designated Beneficiary, then, except as provided in paragraph (iii) of this Section 4.03(b), distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or by December 31 of the calendar year in which the Participant would have attained age 72 (age 70½, if born before July 1, 1949), if later.

5. Effective January 1, 2022, Section 4.03(b)(ii) is hereby amended to read as follows:
 - (ii) If the Participant's surviving spouse is not the Participant's sole designated Beneficiary, then, except as provided in paragraph (iii) of this Section 4.03(b), distributions to the designated Beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died.

6. Effective January 1, 2022, Section 4.03(b)(iii) is hereby amended to read as follows:
 - (iii) A Participant or an Eligible Designated Beneficiary may elect on an individual basis whether the 10-year rule or the life expectancy rule in this Section 4.03(b) and Section 4.03(e)(ii) applies to distributions after the death of a Participant. The election must be made no later than the earlier of December 31 of the calendar year in which distribution would be required to begin under this Section 4.03(b), or by December 31 of the calendar year which contains the tenth anniversary of the Participant's (or, if applicable, surviving spouse's) death. If neither the Participant nor Eligible Designated Beneficiary makes an election under this paragraph (iii), distribution of the Participant's entire interest will be completed by December 31 of the calendar year containing the tenth anniversary of the Participant's date, and no distributions are required to be distributed from the Participant's interest prior to that date. As of the last date the election may be made, the election shall be irrevocable with respect to the Eligible Designated Beneficiary (and all subsequent beneficiaries) and shall apply to all subsequent calendar years.

7. Effective January 1, 2022, Section 4.03(d)(i)(B) is hereby amended to read as follows:
- (B) if the Participant's sole designated Beneficiary for the distribution calendar year is the Participant's spouse who is more than 10 years younger than the Participant, the quotient obtained by dividing the Participant's account balance by the joint and last survivor life expectancy for the Participant and his spouse determined using the Joint and Last Survivor Life Expectancy Table set forth in Section 1.401(a)(9)-9 of the Treasury regulations for the Participant's and spouse's ages as of their birthdays in the distribution calendar year.
8. Effective January 1, 2022, Section 4.03(e)(i) is hereby amended to read as follows:
- (i) Death On or After Date Distributions Begin.
 - (A) Participant Survived by Designated Beneficiary. If the Participant dies on or after the date distributions begin, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's account balance by the longer of the remaining life expectancy of the Participant or the remaining life expectancy of the designated Beneficiary, determined as follows:
 - (I) The Participant's remaining life expectancy is determined initially using the Participant's age as of the Participant's birthday in the calendar year of the Participant's death. In subsequent calendar years, the remaining life expectancy is determined by reducing the initial life expectancy by one (1) for each calendar year that has elapsed after that first calendar year.
 - (II) If the Participant's surviving spouse is the Participant's sole designated Beneficiary, then the surviving spouse's remaining life expectancy is redetermined each distribution calendar year using the surviving spouse's age as of the spouse's birthday in that calendar year.
 - (III) If the Participant's surviving spouse is not the Participant's sole designated Beneficiary, the designated Beneficiary's remaining life expectancy is determined initially using the designated Beneficiary's age as of the designated Beneficiary's birthday in the calendar year following the year of the Participant's death. For subsequent calendar years, the designated Beneficiary's remaining life expectancy is determined by reducing the initial life expectancy by one (1) for each calendar year that has elapsed after that first calendar year.
 - (B) No Designated Beneficiary. If the Participant dies on or after the date distributions begin and there is no designated Beneficiary as of September 30

of the calendar year after the calendar year of the Participant's death, the minimum amount that will be distributed for each distribution calendar year after the calendar year of the Participant's death is the quotient obtained by dividing the Participant's account balance by the Participant's remaining life expectancy, determined as follows: The Participant's remaining life expectancy is determined initially using the Participant's age as of the Participant's birthday in the calendar year of the Participant's death. In subsequent calendar years, the remaining life expectancy is determined by reducing the initial life expectancy by one (1) for each calendar year that has elapsed after that first calendar year.

- (C) Distribution of Participant's Entire Vested Interest Required. Except as provided in paragraph (D) of this Section 4.03(e)(i), the entire Vested Interest of the Participant must be distributed by the end of the earliest of the calendar years described in subparagraph (I), (II), (III), or (IV) below.
- (I) 10-Year Limit for Designated Beneficiary who is not an Eligible Designated Beneficiary. If the Participant's designated Beneficiary is not an Eligible Designated Beneficiary, then the calendar year described in this subparagraph (I) is the tenth calendar year following the calendar year of the Participant's death.
- (II) 10-Year Limit following Death of Eligible Designated Beneficiary. If the Participant's designated Beneficiary is an Eligible Designated Beneficiary, then the calendar year described in this subparagraph (II) is the tenth calendar year following the calendar year of the designated Beneficiary's death.
- (III) 10-Year Limit after Minor Child of the Participant reaches Age of Majority. If the Participant's designated Beneficiary is an Eligible Designated Beneficiary only because the designated Beneficiary is the child of the Participant who has not reached the age of Majority (as hereinafter defined) at the time of the Participant's death, then the calendar year described in this subparagraph (III) is the tenth calendar year following the calendar year in which the designated Beneficiary reaches the age of Majority.
- (IV) Life Expectancy Limit for Older Eligible Designated Beneficiaries. If the Participant's designated Beneficiary is an Eligible Designated Beneficiary and the applicable life expectancy is determined in accordance with Section 4.03(e)(i)(A)(I) (i.e., using the Participant's remaining life expectancy), then the calendar year described in this subparagraph (IV) is the calendar year in which the applicable life expectancy would have been less than or equal to one (1) if it were determined in accordance with Section 4.03(e)(i)(A)(III) (i.e., using the designated Beneficiary's remaining life expectancy).

(D) Rules for Multiple Designated Beneficiaries. If a Participant has more than one designated Beneficiary, then the minimum annual amounts payable and the maximum distribution period described under foregoing provisions of this Section 4.03(e)(i) shall be determined in accordance with Section 1.401(a)(9)-5(f) of the Proposed Treasury regulations.

9. Effective January 1, 2022, Section 4.03(e)(ii)(A) is hereby amended to read as follows:

(A) Participant Survived by Eligible Designated Beneficiary. Except as provided in paragraph (B) of this Section 4.03(e)(ii), if the Participant dies before the date distributions begin and there is an Eligible Designated Beneficiary, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's account balance by the remaining life expectancy of the Participant's Eligible Designated Beneficiary, determined as provided in Section 4.03(e)(i).

10. Effective January 1, 2022, Section 4.03(e)(ii)(B) is hereby amended to read as follows:

(B) Participants or Eligible Designated Beneficiaries may elect on an individual basis whether the 10-year rule or the life expectancy rule in Section 4.03(b) and this Section 4.03(e)(ii) applies to distributions after the death of a Participant. The election must be made no later than the earlier of December 31 of the calendar year in which distribution would be required to begin under Section 4.03(b), or by December 31 of the calendar year which contains the tenth anniversary of the Participant's (or, if applicable, surviving spouse's) death. If neither the Participant nor Eligible Designated Beneficiary makes an election under this paragraph (B), distribution of the Participant's entire interest will be completed by December 31 of the calendar year containing the tenth anniversary of the Participant's date, and no distributions are required to be distributed from the Participant's interest prior to that date. As of the last date the election may be made, the election shall be irrevocable with respect to the Eligible Designated Beneficiary (and all subsequent beneficiaries) and shall apply to all subsequent calendar years.

11. Effective January 1, 2022, Section 4.03(f)(i) is hereby amended to read as follows:

(i) Designated Beneficiary. The individual or trust who is designated as the Beneficiary of the Participant's Account (whether pursuant to a designation by the Participant or application of Section 1.06 of the Plan or other Plan terms) and who is a designated beneficiary under Code Section 401(a)(9)(E)(i) and Section 1.401(a)(9)-4 of the Proposed Treasury regulations.

12. Effective for distribution calendar years beginning on or after January 1, 2022, Section 4.03(f)(iii) is hereby amended to read as follows:
- (iii) Life expectancy. Life expectancy as computed by use of the Single Life Table published in Section 1.401(a)(9)-9 of the Treasury regulations, and is subject to adjustment as described in Section 1.401(a)(9)-9(f) of the Treasury regulations.
13. Effective January 1, 2022, Section 4.03(f)(v) is hereby amended to read as follows:
- (v) Required beginning date. April 1st of the calendar year following the later of the calendar year in which the Participant attains age 72 (age 70½, if born before July 1, 1949) or the calendar year in which the Participant retires.
14. Effective January 1, 2022, Section 4.03(f) is hereby amended by adding at the end thereof the following new paragraphs:
- (vi) Eligible Designated Beneficiary. The individual qualifies as a designated Beneficiary and is (A) the surviving spouse of the Participant, (B) a child of the Participant who has not reached the age of Majority, (C) disabled, as defined in Code Section 72(m)(7), (D) chronically ill (as defined in Code Section 7702B(c)(2)) for a reasonably lengthy period, or indefinitely, or (E) not more than 10 years younger than the Participant. Certain trusts may be treated as Eligible Designated Beneficiaries pursuant to Code Section 401(a)(9)(H)(iv) and (v).
 - (vii) Majority. An individual reaches the age of majority on the individual's 21st birthday.
15. Effective March 27, 2020, Section 4.03 is hereby amended by adding at the end thereof the following new subsection (g):
- (g) 2020 Required Minimum Distributions. Notwithstanding Section 4.03(a) of the Plan, a Participant or Beneficiary who would have been required to receive required minimum distributions in 2020 (or paid in 2021 for the 2020 calendar year for a Participant with a required beginning date of April 1, 2021) but for the enactment of Section 401(a)(9)(I) of the Code ("2020 RMDs"), and who would have satisfied that requirement by receiving distributions that are either (1) equal to the 2020 RMDs, or (2) one or more payments (that include the 2020 RMDs) in a series of substantially equal periodic payments made at least annually and expected to last for the life (or life expectancy) of the Participant, the joint lives (or joint life expectancies) of the Participant and the Participant's designated Beneficiary, or for a period of at least 10 years ("Extended 2020 RMDs"), will be given an opportunity to make an election as to whether or not to receive these distributions. If no election is made, such Participant or Beneficiary will not receive the distributions. For purposes of Section 4.05 of the Plan, distributions

that are not required minimum distributions under this Section 4.03, including 2020 RMDs and Extended 2020 RMDs, will also be treated as Eligible Rollover Distributions for 2020 and 2021.

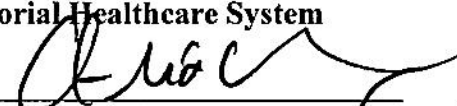
Extension of 5-Year Rule for RMDs. Additionally, the Beneficiary of an Applicable Participant Account will have the right to extend the deadline to make the election to use the 5-year rule or the life expectancy rule of Sections 4.03(b)(iii) and 4.03(e)(ii)(B) of the Plan, as in effect immediately prior to the adoption of this Fourth Amendment, to reflect the adoption of Code Section 401(a)(9)(I), and in the absence of a Beneficiary election, the 5-year rule will be deemed elected and the extension will apply. The term "Applicable Participant Account" means the remaining account of a Participant who died during the years 2015-2019, to the extent the account is subject to the 5-year rule.

16. In all other respects, the Plan shall be and remain unchanged by this Fourth Amendment.

IN WITNESS WHEREOF, the Company has caused this Fourth Amendment to the Memorial Healthcare System 401(a) Retirement Plan to be executed on this 21st day of March, 2022.

**South Broward Hospital District, DBA
Memorial Healthcare System**

By: _____


Aurelio M. Fernandez, III
President and CEO

Its: _____

(Title)