

SURROGACY ASSISTANCE PROGRAM

Welcoming a new child into your family is a rewarding and life-changing experience. City National Bank supports you when you grow your family through the **City National Bank Surrogacy Assistance Program (“Program”)**.

OVERVIEW

The Program, established effective January 1, 2022 by City National Bank and administered by WINFertility, Inc. (WIN), is offered to Eligible Colleagues (defined below) who choose to build their families through surrogacy. The program helps to cover a portion of the expenses associated when using a surrogate to assist in carrying and giving birth to a child (up to \$30,000 gross maximum lifetime benefit).

ELIGIBILITY

To be eligible for reimbursement under the Program the following criteria must be satisfied.

- To be considered an Eligible Colleague:
 - At the time that (1) the surrogacy is “Legally Finalized”, (2) the expenses are incurred, and (3) reimbursement is requested and paid, you meet ALL of the following requirements:
 - You are a regular, full-time colleague of City National Bank regularly scheduled to work 30 or more hours per week; and
 - You have completed one year of service with City National Bank based on your most recent date of hire; and
 - You intend to become the legal parent of the child born through the surrogacy process (an “Intended Parent”).

This surrogacy benefit is designed to support a City National Bank Eligible Colleague who is the Intended Parent. No benefits are provided under the Program for a City National Bank colleague or spouse/domestic partner acting as a surrogate. Additionally, spouses, domestic partners, and dependents of eligible colleagues are not eligible to participate in the Program.

What is “Legally Finalized”?

A surrogacy is Legally Finalized when the Intended Parent(s) have been granted permanent legal custody of the child and the Intended Parent(s) can provide a copy of either the certified birth certificate or a notarized court order acknowledging parentage of the Intended Parent(s) as the child’s permanent legal parent(s).

HOW TO GET STARTED

Before you begin the surrogacy process, contact WIN for information about all aspects of the Program, including details about eligibility and covered expenses. You can reach a WINFertility Service Team Member at 855-747-8786, Monday - Friday 9:00 a.m. - 7:30 p.m. EST. More details are also available at <https://managed.winfertility.com/cnb>

In addition, WIN is available to assist Eligible Colleagues with information, tools, resources and experienced fertility professionals who can provide guidance throughout the surrogacy journey. You are not required to use all the resources of the Program, including WIN's network of surrogacy agencies.

For details, contact WIN at 855-747-8786 and ask to be connected to WIN's Specialty Services Department.

BENEFIT SUMMARY

The Program provides reimbursement of up to \$30,000 gross maximum lifetime benefit for certain costs associated with surrogacy arrangements that are Legally Finalized on or after January 1, 2022 and for which the eligible expenses are incurred on or after January 1, 2022.

If both Intended Parents are City National Bank Eligible Colleagues, the lifetime benefit applies to the colleagues as a family unit for surrogacy-related costs (i.e., maximum benefit limited to \$30,000).

There are various types of surrogacy arrangements, each dependent on the source of genetic material involved, and by whom the material is provided (the surrogate, the Intended Parent(s), or a donor(s)). This benefit is intended to support Eligible Colleagues regardless of the method through which the surrogacy occurs, provided that there is a legal basis for the arrangement. City National Bank accepts no liability for outcomes of any surrogacy agreement entered into by the Eligible Colleague.

ELIGIBLE EXPENSES

Eligible Colleagues may be reimbursed for expenses up to the maximum lifetime benefit available under the Program (see Benefits Summary) resulting from specified legal surrogacy occurrences as defined below, that are not reimbursed from any other source.

Reimbursement of eligible expenses are paid only to the Eligible Colleague, and not to a surrogate. Expenses incurred as a result of treatment or procedures that directly affect a colleagues' body, structure or functions (or those of the colleagues' spouse or domestic partner) are not covered by the Program, but may be covered by the colleague's (or spouse/domestic partner's) health plan.

As noted above, if you and your spouse or domestic partner are both Eligible Colleagues, your combined maximum reimbursable expenses are \$30,000 (gross benefit).

The following costs are considered Eligible Expenses available for reimbursement to the Eligible Colleague:

- Court costs, legal costs, and attorney's fees
- U.S.-based surrogacy agency fees
- Travel expenses for the Intended Parents or gestational carrier specifically related to the surrogacy occurrence
- Egg/sperm donation agency fees

- Fees charged by the surrogacy agency to administer the surrogacy occurrence
- Screening costs for gestational carrier and egg or sperm donor
- Expenses for egg or sperm retrieval fees, IVF, and medical costs other than those of a colleague or spouse/domestic partner or dependent of a colleague
- The cost of transfer of the embryo to the gestational carrier
- Donor fertility costs and fees not covered by
- Egg or sperm shipping and transport fees
- Unreimbursed medical expenses of the surrogate, provided payment of the expense is made directly to the Eligible Employee and the medical expense is a part of the overall cost of the surrogacy arrangement.

INELIGIBLE EXPENSES

Any cost that is not an Eligible Expense is not eligible for reimbursement. Examples of ineligible expenses include:

- Expenses incurred prior to January 1, 2022 or prior to the Eligible Colleague's eligibility date, whichever is later
- Expenses deemed medical care of the colleague or the colleagues' spouse, domestic partner and/or child
- Any surrogacy arrangement that is not legally valid and recognized in the U.S.
- Any expenses that violate a state or federal law
- Compensation to gestational carrier
- Compensation to egg or sperm donor
- Voluntary donations or contributions to the surrogacy agency
- Costs paid using funds from any federal, state, or local program for surrogacy
- Guardianship or custody costs that are not associated with the legal surrogacy of the child
- Cost of living expenses and/personal items such as: rent, utilities, food, clothing, over-the-counter supplements, toys, furniture, etc.
- Loss of income, including but not limited to, loss of income due to complications of pregnancy such as bed rest for surrogacy
- Expenses reimbursed under another employer program
- Any expenses not expressly stated as included shall be deemed to be excluded

City National Bank retains the right to deny benefits under the Program for any expense that it deems to have been incurred in an illegal arrangement or that may result in any legal or tax liability to City National Bank. City National Bank also retains the right to deny benefits under the Program for international surrogacy arrangements that are not processed by an agency in the U.S. or for any expense that may be considered medical care under an ERISA welfare benefit plan.

PLAN ADMINISTRATION AND REIMBURSEMENT APPLICATION PROCESS

City National Bank has retained WINFertility, Inc. (WIN) to administer the Program, including adjudicating eligible expenses. WIN will review and validate reimbursable surrogacy expenses submitted by Eligible Colleagues who want to take advantage of this benefit.

- **Enroll with WINFertility:** Eligible Employees **MUST** enroll with WINFertility by completing the Initial Notification & Benefit Verification Form provided by WINFertility. WINFertility will verify the applicant's eligibility with City National Bank's Benefits Department. (See How To Get Started above.)
- **Apply for Reimbursement:** Eligible Employees may apply for reimbursement for Eligible Expenses once the surrogacy has been Legally Finalized, **but no later than 180 days** from the date the

surrogacy is Legally Finalized. Note that you must meet all criteria of an Eligible Employee to receive reimbursement, including being an Eligible Employee at the time of benefit payment.

- Complete and submit your **Surrogacy Reimbursement Application**, available from WINFertility, along with the **Required Documentation** and **Itemized Receipts** to:

WINFertility, Inc.

Greenwich American Center

One American Lane, Terrace Level

Greenwich, CT 06831

Attn: WINFertility Specialty Services

[or email to: WINSpecialtyServices@WIN-Healthcare.com]

- **Required Documentation for Surrogacy:** Copy of the certified birth certificate and copy of notarized court order acknowledging parentage of the Intended Parent(s) as the child's permanent legal parent(s)

OR

Notarized documentation from the court, on court letterhead, which must include the following elements at a minimum:

- 1) the date on which the agreement was executed,
- 2) the identity of the Intended Parent(s),
- 3) the state of residence of the Eligible Colleague as of the date the agreement was entered into,
- 4) the state of residence of the gestational carrier as of the date the agreement was entered into,
- 5) the state in which the agreement was executed, and
- 6) the date the Intended Parent(s) were granted custody of the child(ren).

- **Itemized Receipts**

Include copies of original **itemized** bills on letterhead of the invoicing company, along with itemized receipts and proof of payment, such as cancelled checks or bank statements, showing payment has been made for all eligible expenses being submitted for reimbursement. You may submit claims in excess of the allowable benefit; but the benefit will be reimbursed only up to the maximum lifetime amount. Please submit all documentation together, as claims will be reviewed in their entirety.

If submitted documentation requires additional substantiation and receipts, you will be contacted by WINFertility. Once your application form and required documentation have been reviewed and approved, your reimbursement will be paid through City National Bank payroll as soon as administratively feasible, typically within two to three payroll cycles.

LEGALITY OF AGREEMENT

The legality of a surrogacy agreement may vary from state to state. It is your responsibility to make sure the surrogacy relationship you are entering into conforms with all laws and regulations before submitting eligible expenses for reimbursement under the Program. City National Bank will only provide this benefit to support surrogacy arrangements that comply with all applicable laws and may deny payment for any international surrogacy arrangement.

PAYING TAXES ON THE REIMBURSEMENT

Reimbursements paid to an Eligible Colleague under this Program are taxable, and applicable taxes apply (e.g., federal and state income tax, Social Security, Medicare). Applicable taxes will be withheld

from any reimbursement amount paid under the Program. Please consult with your personal tax advisor for assistance on your personal tax returns and to determine whether you should make any adjustment to your income tax withholding or make estimated tax payments to avoid potential state and/or federal tax penalties. You should contact your tax advisor about reporting requirements and tax consequences resulting from any benefits paid under this Program.

LIFE EVENT FOR CITY NATIONAL GROUP BENEFITS

Once your child is born via surrogate and becomes your dependent, the City National Bank Employees' Welfare Plan allows you to enroll your child in health coverage, if you do so within the allowed time period. You need to enroll your child through the Me@CNB portal (Benefits > Life Event) within 31 days of legal custody to ensure your child's coverage takes effect on his or her date of birth. Otherwise, you'll need to wait until the next Annual Benefits Enrollment period to enroll your child for coverage effective the following year.

IF YOU ARE ON A LEAVE OF ABSENCE

You can apply for benefits under the Surrogacy Reimbursement Program while you are on an approved leave of absence and you continue to remain an Eligible Colleague as defined above.

IF YOU LEAVE CITY NATIONAL BANK EMPLOYMENT OR CHANGE TO AN INELIGIBLE STATUS

You must be employed with City National Bank and meet the eligibility requirements noted above to be eligible for reimbursement. If you leave employment from City National Bank (or change to an ineligible status working less than 30 hours per week) before completion of all program requirements, you will not be reimbursed.

GENERAL PROVISIONS AND DISCLOSURES

City National Bank retains the sole discretionary authority to interpret the Program, to make eligibility and benefit determinations, and to make factual determinations in connection with the Program. Any determinations of City National Bank (or, as applicable, WINFertility) are final and binding.

- Program benefits are payable solely from the general assets of City National Bank.
- City National Bank does not consider this Program to be an ERISA welfare benefit plan.
- Benefits under this Program are not eligible for continuation under COBRA.
- In no event will City National Bank reimburse expenses that were incurred outside of the United States or that are incurred within the U.S. for a surrogate who is not a U.S. resident.
- Reimbursements under this program are payable only to Eligible Colleagues. The right to reimbursement cannot be transferred or assigned in whole or in part, either directly or by operation of law or otherwise.
- The Program will be administered in compliance with the applicable requirements of Internal Revenue Code.
- City National Bank has the right to modify, amend or terminate this Program at any time, with or without notice.