

**CONTRACT NO.: DMS 13/14-011**  
**BETWEEN**  
**FLORIDA DEPARTMENT OF MANAGEMENT SERVICES**  
**AND**  
**CAREMARKPCS HEALTH, L.L.C.**

**AMENDMENT NO.: 5**

This Amendment to Contract No.: DMS 13/14-011 (the "Contract") is by and between the State of Florida acting through the Florida Department of Management Services (the "Department") and CaremarkPCS Health, L.L.C. ("Service Provider"), each a "Party" and collectively known as the "Parties".

**WHEREAS**, in accordance with subsection 287.057(12), Florida Statutes, the Parties desire to extend the Contract for a six (6) month period beginning January 1, 2021, and ending June 30, 2021;

**NOW THEREFORE**, in consideration of the foregoing premises, the Parties hereby agree that the Contract shall be amended as follows:

1. The Parties agree that the term of this Contract shall be extended for a period of six (6) months, commencing upon January 1, 2021, and ending June 30, 2021. For avoidance of doubt, all fee, pricing, and financial terms in effect from January 1, 2020 through December 31, 2020, as set forth in the "2020" column of the "Fees" section of Exhibit E (Fees, Claims, Clinical Programs, and Drug List) shall remain in effect from January 1, 2021 through June 30, 2021.
2. Exhibit A: Minimum Services Requirements, Section VIII., Reporting and Deliverables, sub-item 80.a., is hereby deleted in its entirety and replaced as follows:
  - (a) **Network Discount Guarantee Report.** For each full Plan Year the Contract is in effect, the Service Provider shall provide a report of the actual ingredient cost discounts compared to the guaranteed discounts related to the Contract based on claims incurred during the Plan Year. The annual report, for each such Plan Year, is not subject to the timeliness standard in the Performance Guarantees and is due by April 30 following the end of the Plan Year. For the six (6) month Contract extension period, the Service Provider shall provide a report of the actual ingredient cost discounts compared to the guaranteed discounts related to the Contract based on claims incurred from January 1, 2021 through June 30, 2021. The Network Discount Guarantee Report, for January 1, 2021 through June 30, 2021, is not subject to the timeliness standard in the Performance Guarantees and is due by October 31, 2021.
    - i. For each full Plan Year the Contract is in effect, the Service Provider shall submit payment within ninety (90) days to the State of Florida for the difference between the actual ingredient cost discounts and the guaranteed discounts reflected throughout the Plan Year. For the six (6) month Contract extension period, the Service Provider shall submit payment to the State of Florida within ninety (90) days of its provision of the Network Discount Guarantee Report for the difference between the actual ingredient cost discounts and the guaranteed discounts reflected from January 1, 2021 through June 30, 2021.

3. This Amendment is hereby made a part of this Contract. All other terms and conditions of the Contract shall remain in full force and effect. Except as otherwise expressly set forth herein, the terms and conditions contained in the Contract and subsequent amendments are unchanged. This Amendment sets forth the entire understanding between the Parties with regard to the subject matter hereof.
4. This Amendment is effective on January 1, 2021, or on the last date of execution, whichever is later.

**SIGNATURE PAGE IMMEDIATELY FOLLOWS**

**SO AGREED** by the Parties' authorized representatives on the dates noted below:

**DEPARTMENT OF MANAGEMENT SERVICES**

DocuSigned by:

*Tami Fillyaw*

**Tami Fillyaw, Chief of Staff**

5/15/2020 | 8:42 AM EDT

**Date**

**CAREMARKPCS HEALTH, L.L.C.**

DocuSigned by:

*Diane Galo*

**Signature**

Diane Galo, Vice President and Group Head

**Print Name and Title**

5/14/2020 | 3:44 PM EDT

**Date**