

Empire HealthChoice HMO, Inc.

COMMISSION SCHEDULE FOR ALL SMALL GROUP AND LARGE GROUP COMMUNITY RATED ACCOUNTS AND LARGE GROUP HMO-BASED POINT OF SERVICE (IN-NETWORK)

Effective Date: July 1, 2005

Schedule

4.0% of first \$1,000,000 of annual premium

2.5% of annual premium over \$1,000,000

Notes:

1. Commission on all HMO products is limited to 4%.
2. Applicable products currently include: large and small group HMO, small group HMO-based Point of Service, in-network large group (more than 50 employees) HMO-based Point of Service, and Healthy NY. Medicare Advantage products are excluded.
3. For in-network large group HMO-based Point of Service, in lieu of the above rates, a level 4% commission may also be paid by agreement between the broker and the account. At the request of the broker and the Group, the broker or agent commission for a Group may be reduced or eliminated on new or existing business to recognize special compensation arrangements and special situations.
4. Payable only on the HMO portion of premium for jointly written POS products.
5. If the broker and account have agreed that a flat percentage commission will be paid on each product issued to the group, a flat percentage commission will be paid on the HMO limited to a maximum of 4%.
6. All commissionable products in Empire HealthChoice HMO, Inc. and Empire HealthChoice Assurance, Inc. are included in determining the annual premiums on which the commission percentage is based.

March 2005

7. This schedule applies to commissions paid on all new and renewal commissionable products issued or renewed on or after the Effective Date.