



AMENDMENT NO. 1 TO SUBSCRIPTION AGREEMENT

This Amendment No. 1 ("**Amendment No. 1**") to the Subscription Agreement dated October 2, 2019 (the "**Agreement**"), by and between 98point6 Inc. ("**98point6**") and City of Everett ("**Employer**") is entered into as of the last signature date (the "**Amendment No. 1 Effective Date**") by and between 98point6 and Employer.

AMENDMENT

NOW THEREFORE, the Parties agree to the following terms and conditions:

1. Amendment.

- 1.1. The defined term "Eligible Dependent" in the Agreement is deleted in its entirety and replaced with the following:

"**Eligible Dependent**" means a dependent of any age of an Employee (subject to change if 98point6 changes the age of patients it provides Services to) whose information is included in the Eligibility File and who is authorized by Employer to access and use the Services.

- 1.2. The defined term "Eligible Participant" in the Agreement is deleted in its entirety and replaced with the following:

"**Eligible Participant**" means (a) an Employee whose information is included in the Eligibility File; and (b) an Eligible Dependent whose information is included in the Eligibility File, subject to change if 98point6 changes the age of patients it provides Services to.

- 1.3. The defined term "Excepted Services" is added to the Agreement as follows:

"**Excepted Services**" has the meaning set forth in the definition of Services.

- 1.4. The defined term "Medical Services" in the Agreement is deleted in its entirety and replaced with the following:

"**Medical Services**" means the services rendered by Providers via the Platform to Participants. Such services may include addressing healthcare questions, assessing patients, forming diagnoses and treatment plans, and ordering tests or medications. Such services may or may not include administrative functions such as documenting referrals or assisting with pharmacy needs or fulfilling other administrative requests, which are services that may be performed by a Provider or may be performed by administrative or clinical staff, including but not limited to registered nurses, medical assistants or others.

- 1.5. The defined term "Provider" in the Agreement is deleted in its entirety and replaced with the following:

"**Provider**" means a licensed physician, nurse practitioner or other licensed clinician of 98point6 Physicians PC or another professional services corporation or other

professional limited liability entity with which 98point6 Physicians PC has entered into a contract to render licensed physician and other licensed clinical provider services.

- 1.6. The defined term “Services” in the Agreement is deleted in its entirety and replaced with the following:

“**Services**” means, collectively, the Platform provided or otherwise made accessible to Participants by 98point6 pursuant to this Agreement, the Medical Services, and the other services described in Section 2 (The Services), which are initiated by a Participant accessing the Platform. Services do not include those services where 98point6 has been engaged by a third party to perform medical services on the third party’s behalf (“**Excepted Services**”). Excepted Services are initiated from a platform other than the Platform. Third parties may include but are not limited to clinical laboratories, diagnostic testing companies, or other healthcare providers.

2. Miscellaneous.

- 2.1. Any capitalized term used but not defined in this Amendment No. 1 shall have the meaning given in the Agreement.
- 2.2. This Amendment No. 1, together with the Agreement and any other documents and instruments referred to herein, constitutes the final and complete expression of the Parties with respect to the subject matter hereof. This Amendment No. 1 may not be amended except by a written instrument duly executed and delivered by each of the Parties.
- 2.3. In the event of any inconsistency or conflict between the terms of this Amendment No. 1 and the terms of the Agreement, the terms of this Amendment No. 1 shall control.
- 2.4. This Amendment No. 1 may be executed in any number of counterparts, each of which shall be deemed an original, and all of which, taken together, shall constitute one and the same instrument, with the same effect as though such signatures were on the same instrument. This Amendment No. 1 shall be effective upon full execution by original or electronic signature (such as DocuSign), and such signature shall be deemed to be and shall be as effective as an original signature.
- 2.5. Except as expressly amended by this Amendment No. 1, all of the terms and conditions of the Agreement shall remain unchanged and in full force and effect as set forth therein.

(Signature Page Follows)

The Parties intending to be legally bound have signed this Amendment No. 1 as of the date of their signatures below.

98point6 Inc.

By: _____
Gabriel Kangas

DocuSigned by:
5017560839C341C...

Name: Gabriel Kangas

Title: VP Finance

Date: 12/26/2022

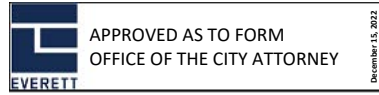
City of Everett

By: _____
Cassie Franklin

Name: Cassie Franklin

Title: Mayor

Date: 12/16/2022



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Final Audit Report

2022-12-16

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