## GROUP INSURANCE CERTIFICATE RIDER

to be attached to and made a part of the Certificate

**POLICYHOLDER** GOVERNMENT EMPLOYEES' BENEFIT

ASSOCIATION INCORPORATED

**POLICY NUMBER** G-29344-0 (the "Policy") **CONTRACT STATE** DISTRICT OF COLUMBIA

**NEW YORK LIFE** agrees that he Certificate is changed, as of the later of September 1, 2011 or the INSURED MEMBER'S INSURANCE DATE, as follows:

Based on the applicable residence of the INSURED MEMBER, the attached State Regulations page(s) is added to the Certificate and replaces the State Regulations page(s), if any, previously issued to the INSURED MEMBER.

California

Secretary

President

## **CALIFORNIA REGULATIONS**

The following applies to California residents:

1. For the purpose of revising the definition of Covered Total Disability and Covered Partial Disability, the Covered Total Disability section of the Disability Income Insurance page(s) is replaced by the following:

<u>Covered Disability</u> A Covered Disability is a Covered Total Disability and/or Covered Partial Disability, if such disability is not excluded in the Exclusions section, as follows:

**Covered Total Disability -** A Covered Total Disability is an incapacity that prevents the COVERED PERSON from performing with reasonable continuity the substantial and material acts necessary to perform his or her usual occupation in the usual and customary way.

Such Covered Total Disability must begin while the COVERED PERSON is insured under the Policy and be the result of: (1) an INJURY. For a Covered Total Disability to be considered to have resulted from an INJURY, the Covered Total Disability must begin within 90 days after an accident, if the accident occurs while the COVERED PERSON is insured under the Policy. If more than 90 days has elapsed, such Covered Total Disability will be considered to have resulted from an INJURY SICKNESS; (2) a SICKNESS; or (3) an ORGAN DONATION that a COVERED PERSON makes, provided he or she has been insured under the Policy for at least six consecutive months on the day of such donation.

A loss of license, in and of itself, does not constitute an incapacity that prevents the COVERED PERSON from doing the material and substantial duties of his or her regular occupation and will not be deemed a TOTAL DISABILITY.

- 2. For the purpose of deletion of the Impairment Restrictions provision under the Policy, the Impairment Restrictions exclusion and all references to Impairment Restrictions are deleted.
- 3. For the purpose of providing benefits for a Covered Disability due to pregnancy on the same basis as any other SICKNESS, the Pregnancy, Childbirth Or A Related Medical Condition item in the Exclusions section on the Disability Income Insurance pages is deleted.
- 4. For the purpose of deleting benefits under a Worker's Compensation Act and New York Life's estimate of the benefits under the Federal Social Security Act, Workers' Compensation Act or similar laws from OTHER INCOME BENEFITS, the definition of OTHER INCOME BENEFITS on the Definitions page(s) is replaced by the following:

## **OTHER INCOME BENEFITS** means the amount of any:

- 1. salary or other compensation the COVERED PERSON receives for work performed while disabled and the amount of any income payment under a salary continuance plan;
- 2. income payments, other than unearned income, from a professional corporation, partnership or other group practice arrangement. Income payments include the cost of a COVERED PERSON'S fringe benefits and the share of the total contributions to corporate surplus;
- 3. income payments under a retirement plan, other than a government pension plan, which starts on or after the date of disablement for which Covered Disability benefits become payable;
- 4. income payments under a government pension plan which starts on or after the date of disablement for which Covered Disability benefits become payable. Any increase in such payments that occurs after the WAITING PERIOD is excluded from the determination of such benefits;
- 5. benefits for loss of time from employment which is provided for a disability under: (a) any plan arranged by any employer, union or association; (b) any fund or other arrangement pursuant to any compulsory disability benefit act or law; or (c) an individual disability income policy;

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## CALIFORNIA REGUALTIONS

- 6. benefits in the form of periodic cash payments for a disability, excluding any benefits for a disability starting before the COVERED PERSON'S INSURANCE DATE, which is provided: (a) under any group life insurance plan; (b) by any federal, state, provincial, municipal or other governmental agency, or pursuant to the Federal Railroad Retirement Act; or (c) under the Federal Social Security Act, Canada Pension Plan or Quebec Pension Plan on the basis of the COVERED PERSON'S record of wages and self-employment income and payable to the COVERED PERSON or a spouse or child of the COVERED PERSON, without regard to any deductions from such benefits which can be made: (1) on account of work; (2) because of the COVERED PERSON has elected to be paid benefits under the Federal Social Security Act, Canada Pension Plan or Quebec Pension Plan on the basis of the spouse's or child's own record of wages and self-employment income. In determining the amount of such benefits, however, there will be excluded the amount of any increase therein which occurs after the WAITING PERIOD; and/or
- 7. benefits under any work loss provision in the mandatory part of any "no-fault" auto insurance policy.

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