

OSI RESTAURANT PARTNERS, LLC EMPLOYEE BENEFIT PLAN

Hybrid Entity Designation

OSI Restaurant Partners, LLC Employee Benefit Plan (the “Plan”) hereby recognizes that it is a single group health plan which qualifies it as a Covered Entity under the Standards for Privacy of Individually Identifiable Health Information (the “Privacy Standards”) as set forth in the Health Insurance Portability and Accountability Act of 1996, as amended (“HIPAA”). However, the Plan includes some plans or programs that would be Covered Entities standing alone and some that would not. Thus, as permitted by the Privacy Standards, effective as of the date set forth below, the Plan hereby designates itself as a Hybrid Entity.

The Plan designates the following programs of the Plan, which are self-insured group health programs, as health care components that are thereby subject to HIPAA:

- Non-Hawaii Medical (including prescription drug);
- Non-Hawaii Dental;
- Non-Hawaii Vision;
- Wellness;
- Health Care Spending Account;
- Employee Assistance Plan; and
- Health Reimbursement Arrangement.

The Plan designates the following programs of the Plan, which are fully-insured group health programs, as health care components that are thereby subject to HIPAA:


- Hawaii Medical (including prescription drug);
- Hawaii Dental; and
- Hawaii Vision.

All programs offered under the Plan that are not listed above are not health care components and, therefore, are not subject to HIPAA.

This Hybrid Entity Designation may be changed or modified at any time, including without limitation, to add or delete the programs of the Plan as part of the Hybrid Entity. The Plan shall, from time to time, develop appropriate policies and procedures governing the Hybrid Entity and its obligations under the Privacy Standards. All changes and modifications must be in writing and signed on behalf of the Plan. All capitalized terms not defined herein are as defined or described under HIPAA, as in effect or as may be amended from time to time.

IN WITNESS WHEREOF, the undersigned has executed and reissued this Hybrid Entity Designation on this 16th day of May, 2022, on behalf of the Plan to be effective as of the 16th day of May, 2022 and thereafter.

OSI Restaurant Partners, LLC (as plan administrator of the OSI Restaurant Partners, LLC Employee Benefit Plan)

By: 
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Name: Donna Bluestone

Title: Vice President, Human Resources