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# Adoption Assistance Program

EFFECTIVE: JANUARY 1, 2024

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## **Adoption Assistance Program Highlights**

In support of parenthood, Brown & Brown, Inc. offers an Adoption Assistance Program to provide financial assistance to teammates in their family building journey. The Adoption Assistance Program (also referred to as the “Program”) is open to eligible U.S.-based Brown & Brown teammates and is intended to provide financial assistance in the adoption of a child. This Program provides up to \$20,000 per year in adoption reimbursement assistance, up to a maximum of \$50,000 per lifetime.

The Program does not require medical plan enrollment. However, for teammates enrolled in a UnitedHealthcare (UHC) Choice Plus medical program offered by Brown & Brown, family building benefits (including fertility benefits under the Choice Plus medical plan, and adoption assistance benefits under this Program) are subject to a combined \$20,000 annual limit and \$50,000 lifetime limit.

You are encouraged to submit expenses for reimbursements as soon as possible, and preferably within the calendar year in which the expense was incurred, even if the expense is above the annual limit for family building benefits (see Page 6, Q-12 of this Program description for more details).

Note that adoption proceedings do not have to be final before eligible expenses can be submitted for reimbursements; they can be submitted as expenses arise in your adoption journey.

## **Funding**

All benefits paid under the Adoption Assistance Program shall be from Brown & Brown, Inc.’s general assets. In no case shall any amounts be segregated in a separate fund or trust or in any other way secured for the payment of adoption assistance benefits due under this Adoption Assistance Program. The Adoption Assistance Program does not have any assets.

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## Questions and Answers about the Adoption Assistance Program

### **Q-1. Are there family building benefits available to Brown & Brown teammates?**

Yes, in support of alternative family planning, Brown & Brown offers the Adoption Assistance Program to all eligible teammates.

### **Q-2. Who is an eligible teammate for purposes of the Adoption Assistance Program?**

A U.S. based full-time permanent teammate of Brown & Brown or its subsidiaries who is scheduled to work at his or her job at least 30 hours per week is eligible to participate in the Adoption Assistance Program following the completion of an eligibility waiting period of 30 days of employment (28 days if an employee's hire date is in the month of February).

Notwithstanding the above, teammates classified as temporary, independent contractors, or employees of an employment agency or entity other than Brown & Brown or its subsidiaries are not eligible to participate in this Program.

### **Q-3. How do I become a Participant?**

Enrollment into the Program begins when you request to participate. To enroll, contact the Team Resources Benefits Department at 1-866-505-0991 (press 1) or [benefits@bbins.com](mailto:benefits@bbins.com) (Monday – Friday 8:00 a.m. to 6:00 p.m. ET). A HIPAA authorization form will be requested as a condition of participation in the Program. Additionally, you will need to supply a certified copy of an adoption agreement or similar documents indicating that you have begun the adoption process. Your request to participate in the Adoption Assistance Program must be submitted within 365 days of the signed adoption agreement.

Brown & Brown will send your records to HealthEquity, the Claims Administrator. Once your eligibility for the Adoption Assistance Program is confirmed, you will see this benefit on your HealthEquity dashboard when you log onto the site.

### **Q-4. Why is a HIPAA authorization form required and how does it affect eligibility?**

This Program (along with the fertility benefits paid through one of our Choice Plus medical plans) has a combined annual and lifetime maximum benefit. To determine your eligibility for benefits within the overall maximum, we must request information from UHC about any amounts paid for fertility benefits. The HIPAA authorization allows UHC to share these amounts with HealthEquity and/or Brown & Brown to administer this limit. Please know, the only protected health information you are authorizing UHC to release is the total amounts paid for fertility services, and only for the purposes of administering this limit. No further details are requested.

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**Q-5. If I do not have coverage through a Brown & Brown offered UHC medical plan, why is a HIPAA authorization necessary?**

Having an authorization on file is necessary in the event your election to participate in the medical plan changes (e.g., you elect to participate in one of the Brown & Brown offered Choice Plus medical plans in future years, or in the current plan year should a change of status event occur).

**Q-6. How do I access the HealthEquity portal?**

If you already have a HealthEquity account to manage your Flexible Spending Account(s) or Commuter Account(s), your login credentials will be the same.

If you do not already have a HealthEquity account to manage your Flexible Spending Account or Commuter Account, you can register then access your account at [www.healthequity.com/wageworks](http://www.healthequity.com/wageworks). If you need help logging in for the first time, you'll find a Help button on the login page.

**Q-7. How does the Adoption Assistance Program work if both parents are Brown & Brown teammates?**

In the event where two eligible teammates reside in the same household, benefits are limited to a single maximum of \$20,000 per year or \$50,000 per lifetime per household.

**Q-8. What are the election periods for entering the Adoption Assistance Program?**

There is no specific election period to enter the Adoption Assistance Program, but you must submit a request to participate within 365 days of the signed adoption agreement as described in Q-3 above.

**Q-9. What is the Adoption Assistance Program benefit?**

The Program is designed to help with eligible expenses associated with the adoption of a child. The IRS defines a child as an individual who is (a) under the age of 18 or (b) physically or mentally incapable of caring for themselves. As a reminder, there is a \$20,000 annual benefit maximum and \$50,000 lifetime benefit maximum.

Teammates enrolled in one of our UHC Choice Plus plans have a combined annual and lifetime maximum limit for both fertility services (medical and pharmacy) and adoption assistance.

**Q-10. Is an in-progress adoption that began prior to 2024 eligible for reimbursement?**

No, the Program provides for claims reimbursements only for adoption agreements (or similar agreements indicating that you have begun the adoption process) signed after January 1, 2024.

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**Q-11. If I am looking to adopt twins, is the annual maximum per child?**

Regardless of the adoption of a single child or twins, the same overall annual and lifetime maximums will apply.

**Q-12. What if I begin the adoption process in 2024 and it extends into 2025 for the same child, how would eligible expenses be calculated for the annual and lifetime maximum amounts?**

If your adoption process begins in 2024 and you incur eligible expenses during the Program (calendar) year, you may file claims for reimbursement immediately. You are encouraged to file claims in the year they were incurred, even if the total is greater than the annual limit (\$20,000).

If you do submit claims for reimbursement that exceed the annual limit, your reimbursement for the current year will be capped at the annual limit. However, in the subsequent Program year, an additional reimbursement (up to the annual limit) will be available for unpaid claims that you submitted in the prior Program year, so long as (i) you have not reached the overall lifetime limit (\$50,000) and (ii) you remain eligible for the Program at the time of the reimbursement. If you incur additional expenses the second year, you may then file additional claims for reimbursement. However, the combined reimbursement - i.e., any remaining unpaid claims from the first year added to the second year claims - cannot exceed the annual or overall lifetime reimbursement limits.

PLEASE NOTE: In order to be payable under the Program, expenses must be submitted for reimbursement within 365 days of the date they were incurred.

Here are a few examples of how this might work:

*Example 1:*

In 2024, you incur \$16,000 in eligible expenses. You provide your required documentation, submit a claim, and receive a reimbursement of \$16,000. In 2025, you incur an additional \$14,000 in eligible expenses. You provide your required documentation, submit a claim, and receive a reimbursement of \$14,000. Your total reimbursement from the Program across two years is \$30,000.

*Example 2:*

In 2024, you incur \$26,000 in eligible expenses. You provide your required documentation, submit a claim, and receive a reimbursement of \$20,000. In 2025, you incur an additional \$12,000 in eligible expenses. You provide your required documentation and submit a claim. As long as you remain eligible, you will receive reimbursements totaling \$18,000 (\$12,000 for 2025, plus the remaining \$6,000 from 2024). Your total reimbursement from the Program across two years is \$38,000.

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*Example 3:*

In 2024, you incur \$30,000 in eligible expenses. You provide your required documentation, submit a claim, and receive a reimbursement of \$20,000. In 2025, you incur an additional \$24,000 in eligible expenses. You provide your required documentation and submit a claim. As long as you remain eligible, you will receive a reimbursement totaling \$20,000 (\$10,000 for 2025, plus the \$10,000 remaining from 2024). In 2026, as long as you remain eligible, you will be reimbursed \$10,000 (the remaining amount from 2025). The total across the three years is \$50,000, equal to the lifetime limit. No additional family building benefits will be payable after the final \$10,000 payment, in 2026 or later years.

*Example 4:*

In 2024, you incur \$20,000 in fertility expenses under the Brown & Brown Choice Plus medical plan. You then incur \$15,000 in eligible adoption expenses under this Program, provide your required documentation, and submit a claim. You are not eligible to receive any reimbursement under the Program in 2024, as the UHC medical plan has already paid up to the family building benefits annual limit. In 2025, as long as you remain eligible, you will receive a reimbursement of \$15,000 (the remaining amount from 2024). Your total reimbursement from the Program across two years is \$35,000.

**Q-13. Who administers the Adoption Assistance Program?**

The Program is administered by HealthEquity.

**Q-14. How do I make a claim for reimbursement from the Adoption Assistance Program?**

To obtain reimbursement from the Program, simply submit a reimbursement request to HealthEquity, the Claims Administrator, for the incurred and paid eligible expense. A request for reimbursement can be found on [www.healthequity.com/wageworks](http://www.healthequity.com/wageworks) by logging into your account, under the "Adoption Reimbursement" tab. If you do not see the tab, please contact HealthEquity to verify your enrollment in the Program.

For reimbursement, follow the instructions on the HealthEquity web portal to upload your eligible expense; you must include proof of the expenses incurred and paid by you to be eligible for reimbursement. Proof can include a bill and associated paid invoice.

Only expenses that are incurred while you are a participant in the Adoption Assistance Program and while you are an eligible teammate may be reimbursed from the Adoption Assistance Program.

You can submit a reimbursement request within 365 days after an expense was incurred. You will be reimbursed for eligible expenses as long as the amount requested is at least \$25, except for reimbursement with respect to the last month of



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the Plan Year, or the last expense to be submitted for the adoption. Amounts below \$25 will be accumulated and processed with future payments.

Documents must include:

- Service Provider Name
- Service Amount
- Description of Services
- Teammate's Name
- Service Period and Payment Date

**Q-15. What expenses are eligible for reimbursement under the Adoption Assistance Program?**

The Adoption Assistance Program covers a variety of eligible expenses that are incurred on or after January 1, 2024, and are reasonably and directly related to the adoption of an eligible child. Eligible expenses will be determined in accordance Internal Revenue Code Section 23(d)(1)-*Qualified Adoption Expenses* and the Instructions to IRS Form 8839. Eligible expenses include:

- Adoption Agency fees
- Application fees
- Home study fees
- Legal, attorney and court fees
- Post-adoption counseling
- Transportation and living expenses related to adoption
- Medical expenses for the child that are not covered by insurance

This Program does not cover surrogacy-related expenses, or expenses related to the adoption of your spouse's or domestic partner's child. Other ineligible expenses include expenses reimbursed or reimbursable under a federal, state, or local program; expenses reimbursed under another employer-sponsored program; and any payments made directly to birth parents or expenses incurred by birth parents.

**Q-16. Is the Claims Administrator able to assist teammates with finding an adoption agency?**

No, not at this time. HealthEquity manages eligibility, documentation and claims filing for the Adoption Assistance Program. Teammates are responsible for finding their own adoption placement agency (or state foster care program).

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**Q-17. Are teammates required to work with an adoption agency in any particular network or on a HealthEquity or Brown & Brown approved list?**

No, as long as all of the documentation requirements are met, you may work with any legal adoption agency (or state foster care program).

**Q-18. Should I expect reimbursement from HealthEquity?**

No, reimbursements will be made by Brown & Brown and will occur with your regularly scheduled payroll. Due to the administrative review of the expense and when payroll periods occur within the month, please allow up to 60 days for reimbursement after you submit a complete claim.

**Q-19. Can I use the Adoption Assistance Program to legally adopt my stepchildren?**

No, adoption of stepchildren is not covered under this Program.

**Q-20. Can I use the Adoption Assistance Program for an international adoption?**

Yes, if the expenses are documented and otherwise eligible for reimbursement, the Program does not require that you work with an adoption agency in the United States.

**Q-21. Are the birth mother's living expenses during the adoption process considered an eligible expense?**

No, these expenses are not covered through the Adoption Assistance Program. Only expenses incurred directly by Brown & Brown teammates are eligible for reimbursement.

**Q-22. Can I make an election to have my Adoption Assistance Program available balance increased with pre-tax contributions?**

No, this Program is only a reimbursement program provided by Brown & Brown. No teammate contributions are permitted. For all intended purposes, this Program is not a Cafeteria Plan, nor may contributions be made to this Program through the Brown & Brown Flexible Benefits Plan.

**Q-23. What happens to my participation under the Adoption Assistance Program if I take a leave of absence?**

Benefits are discontinued during a leave of absence.

**Q-24. What happens if my request for a reimbursement under the Adoption Assistance Program is denied?**

Reimbursements made depend on the validity of the claims submitted. For example, to qualify for reimbursement from the Adoption Assistance Program your expense must meet the definition of qualified adoption expenses as set by the Program and the IRS. If

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you have any questions about which expenses are or are not likely to be reimbursable from the Adoption Assistance Program, please contact the Claims Administrator.

If you have questions about whether you are eligible to participate in the Program, you can contact the Team Resources Benefits Department at 1-866-505-0991 (press 1) or [benefits@bbins.com](mailto:benefits@bbins.com).

**Q-25. Will I be taxed on the adoption reimbursements that I receive?**

You generally will not be taxed on your adoption assistance reimbursements, up to the limits set by the IRS, which is \$16,810 per “adoption effort” for calendar year 2024. However, Brown & Brown is required to withhold applicable federal employment taxes from reimbursements (e.g., for Social Security, Medicare and federal unemployment tax) and will report the total amount of reimbursements on your W-2 in box 12.

Brown & Brown does not guarantee that specific tax consequences will result from your participation in the Adoption Assistance Program. Please remember that the Claims Administrator and/or Brown & Brown may not provide any legal or tax advice. You are responsible for understanding the tax treatment of reimbursements under this Program and for claiming the applicable income exclusion by filing Form 8839 with your income tax return. If you need an answer upon which you may rely, you should consult with a tax professional. (Please see Internal Revenue Service Notice 97-9.)

**Q-26. Does Brown & Brown have any adoption agencies that offer special rates or discounted services?**

No, neither Brown & Brown nor HealthEquity maintain a directory or network of adoption agencies.

**Q-27. Is there coverage for pre-adoption counseling?**

While pre-adoption counseling is not eligible for reimbursement as part of the Adoption Assistance Program, teammates are able to leverage Lyra Coaching, Therapy and Work Life Services for counseling. You can take advantage of up to eight (8) free coaching or therapy sessions each year—and you can choose a therapist who specializes in adoption and family building.

**Q-28. When does my participation in the Adoption Assistance Program end?**

You will cease to be a participant in the Adoption Assistance Program as of the earlier of:

- The date on which Brown & Brown terminates the Adoption Assistance Program.
- The date your employment terminates with Brown & Brown.

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- The date you cease to be an eligible teammate under the terms of the Adoption Assistance Program (*e.g.*, you are no longer scheduled to work at least 30 hours per week).

For the avoidance of doubt, termination of employment renders a teammate ineligible for adoption assistance reimbursement. No further reimbursement will be approved or disbursed to a teammate after his or her termination of employment or change to an ineligible status (*e.g.*, part-time).

**Q-29. Does this Program provide ERISA rights?**

No, this Program is not subject to ERISA.

**Q-30. Can the Adoption Assistance Program be amended and/or terminated?**

Brown & Brown intends to continue the Adoption Assistance Program indefinitely but reserves the right to terminate or amend the Adoption Assistance Program at any time.

**Q-31. Who do I call if I have questions about the Adoption Assistance Program?**

Please contact HealthEquity at 877.924.3967 with questions. Representatives are available to support you 24 hours a day, 7 days a week.

**Q-32. What representations am I making when I participate in the Adoption Assistance Program?**

By submitting claims for reimbursement under the Program, you are attesting that you have reviewed the expenses carefully and consider them to be accurate and correct. You understand that penalties for any misrepresentation may lead to a loss of a benefit and an immediate obligation to repay any ineligible claims and/or associated fees and expenses incurred as a result of the misrepresentation.

**General Provisions**

Brown & Brown has sole discretionary authority to interpret the Program, to make eligibility and benefit determinations, and to make factual determinations in connection with the Program. Any determinations of Brown & Brown are final and binding.

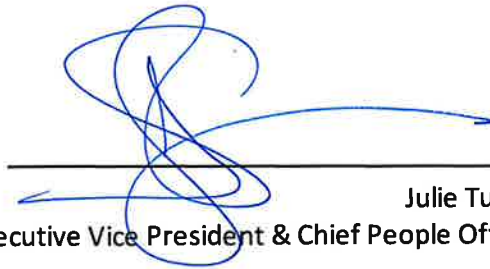
The Adoption Assistance Program is to be construed, administered, and governed by the laws of the state of Florida, to the extent not superseded by the Internal Revenue Code or other federal law.

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## Signature

Brown & Brown has approved this Adoption Assistance Program effective as of January 1, 2024.

BROWN & BROWN, INC.



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Julie Turpin  
Executive Vice President & Chief People Officer