



**PROFESSIONAL
INSURANCE EXCHANGE
MUTUAL, INC.**

SUBSCRIBER'S AGREEMENT

PLEASE RETAIN THIS COPY FOR YOUR RECORDS

WHEREAS, the undersigned is a resident of the State of Utah and is licensed to practice dentistry in the State of Utah;

WHEREAS, the undersigned desires to enter into membership among other subscribers of a mutual insurance company providing indemnity against professional liability, said mutual insurance Company shall be known as Professional Insurance Exchange Mutual, Inc. (PIE)

NOW THEREFORE, the undersigned agrees with PIE and the other subscribers

1. To join with the other subscribers insuring against losses and to be subject to such terms and conditions and limits of liability as set forth in the policy. The terms, conditions and limits of liability of the policy shall be specified by the Company in compliance with sound and accepted insurance practices and reasonable standards established by the Subscribers' liability set forth herein.
2. To make all premium payments and applicable surcharge payments when due for policies of insurance issued in accordance with schedules of rates prepared from time to time by the Company in compliance with sound and accepted insurance practices and reasonable standards established by the Company's Board of Directors and approved by the Commissioner of Insurance of the state of Utah.
3. To abide by such rules and regulations of the Company as stated in the Bylaws or adopted by the Company's Board of Directors from time to time.
4. To release all past and current information pertaining to underwriting and claims by the undersigned's prior insurers or their agents.
5. To the appointment of Richard C. Engar, D.D.S. as Chief Executive Officer (CEO) to administer the day-to-day operations of the Company and oversee underwriting of potential new subscribers.
6. To allow the Subscribers' Board of Directors to supervise and control the activities of the Company.
7. To authorize PIE to release personally identifiable financial information as applicable to affiliates and non-affiliates disclosed on the PIE Privacy Policies statement for purposes of reinsurance premium calculation, etc.

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IT IS FURTHER AGREED that the subscribers' Board of Directors shall consist of nine members elected at the annual meeting of subscribers by the subscribers exercising one vote each. Board members shall be elected for terms of three years each. Terms shall be staggered such that three positions are due for election each year. Not less than eight such Board members shall be subscribers or members of PIE. The Subscribers' Board of Directors shall supervise the finances of Professional Insurance Exchange Mutual, Inc. and supervise its operations to assure conformity with this Agreement and the Bylaws of the Company, procure examinations or audits of the accounts and records of Professional Insurance Exchange Mutual, Inc. and shall have such additional powers and functions as may be conferred from time to time by majority vote of the subscribers.

Signed at _____, Utah, this _____ day of _____, 20_____.

(Signature)

Please type or print your name and residence address:

Name _____

Street _____

City _____ State _____ Zip _____

PROFESSIONAL INSURANCE EXCHANGE MUTUAL, INC.

Privacy Policies

(PLEASE RETAIN FOR YOUR RECORDS)

Professional Insurance Exchange Mutual, Inc. (PIE) has adopted the following policies related to the disclosure of personally identifiable financial information as required by Title V of the Gramm-Leach-Bliley Act (P.L. 106-102), as implemented by Section R590-206 of the Utah Administrative Code. In adopting these policies, PIE acknowledges that additional state and federal laws may govern other aspects of the retention or disclosure of personal or private information, including but not limited to the Health Insurance Portability and Accountability Act, the Fair Credit Reporting Act, and state law governing medical records, health or insurance information privacy.

1. No personally identifiable financial information shall be released to any person or entity without written authorization by the insured to release that information. For purpose of these Privacy Policies, the term "insured" includes those persons defined as consumers and customers under Section R590-206-5(1), Utah Administrative Code.

2. "Personally identifiable financial information" includes any information:

- (i) A consumer (PIE Insured) provides to a licensee (PIE) to obtain an insurance product or service from the licensee;
- (ii) About a consumer resulting from a transaction involving an insurance product or service between a licensee and a consumer; or
- (iii) The licensee otherwise obtains about a consumer in connection with providing an insurance product or service to that consumer.

3. If requests are received from dental insurance carriers pertaining to claims information, such information shall not be released without written authorization by the insured to release such information.

4. If requests are received from licensing entities who are evaluating dentists contemplating relocation, no claims information shall be released without written authorization by the insured to release such information.

5. Specific information pertaining to ongoing and closed claims and/or premium amounts billed for and paid by insured consumers shall be kept confidential and shall be limited to the following affiliates and non-affiliated third parties:

- A. PIE Staff
- B. Advisory Committee
- C. Lawyers handling claims
- D. Accountants and Actuaries who require claims information to calculate reserves, etc.
- E. Reinsurer and Administrator to enable them to calculate quarterly premiums due for reinsurance by PIE.
- F. Potential expert witnesses who must review claims for defense purposes
- G. Insurance Department Examiners and their designees.

6. PIE Newsletter articles and other articles submitted for publication shall be written such that privacy of the insured and plaintiff shall be preserved and protected.

7. PIE will provide clear and conspicuous notice of its privacy policies and practices to all insured consumers on the date of policy implementation or on the date on which an individual becomes an insured under a PIE policy, and not less than annually during the continuation of the insurance relationship. The initial, annual and revised privacy notices shall include, at a minimum:

- (i) The categories of non-public personal financial information that PIE collects.
At present, the only non-public personal financial information that PIE collects is the amount due and payment schedule related to premiums and the amount paid by each insured consumer.
- (ii) The categories of non-public personal financial information that PIE discloses.
At present, the only category of non-public personal financial information that PIE discloses is:
 - a. Premiums collected and payment schedule for each insured.
- (iii) The categories of affiliates and non-affiliated third parties to whom PIE discloses non-public personal financial information;
At present, the only categories of affiliated and non affiliated third parties to whom PIE discloses non-public personal financial information are:
 - a. Reinsurer and Administrator to enable them to calculate quarterly premiums due for reinsurance from PIE.
 - b. Accountants to enable them to calculate quarterly, semi-annual and annual payment totals to prepare monthly financial reports.
 - c. Insurance Department examiners who review premium data.
- (iv) The categories of non-public personal financial information about former PIE insured that PIE discloses;
At present, the only category of non-public financial information about former PIE insured that PIE discloses is:
 - a. Premium payments and coverage dates up to the time of cancellation. This information is provided to the reinsurer and administrator to calculate premium adjustments for reinsurance.
- (v.) An explanation of the insured's right to opt out of the disclosure of nonpublic personal financial information to such non-affiliated third parties, if any, as may be identified;
At present, no non-affiliated third parties are authorized to receive any non-public personal financial information and there is no need for an "opt-out" option, although any insured can discuss disclosure with Company officers.
- (vi) Any disclosures PIE makes under the Federal Fair Credit Reporting Act; and
- (vii) PIE policies and practices with respect to protecting the confidentiality and security of non-public personal financial information, as described above.

8. These policies shall be revised and amended from time to time to remain in compliance with state and federal law, rules and regulations.