



Vax for Cash Official Rules

GENERAL PROVISIONS

The Eastern Band of Cherokee Indians' Division of Public Health and Human Services ("PHHS") has been authorized to operate a "Vax for Cash" lottery promotion (the "Promotion") to encourage vaccination against COVID-19. The Promotion will be provided under the terms in these official rules ("Rules") established by PHHS' Regulatory & Compliance Department (RCD). These Rules are subject to change, and PHHS and RCD have the right to modify, extend, or discontinue the Promotion at any time.

This Promotion is intended to increase protection for the people in our communities by providing an incentive for COVID-19 vaccinations. COVID-19 vaccinations protect people from serious illness and death and a vaccinated community helps to reduce the burden on local hospitals, health departments, and health care providers associated with monitoring, diagnosing, and treating COVID-19. Vaccination rates in rural areas are disproportionately low and the Promotion is intended to improve this community's rates of vaccination. Neither the establishment or operation of nor an individual's participation in this Promotion constitutes "gambling" under Tribal law. This Promotion is not subject to the North Carolina State Lottery Act or the gaming laws of the Eastern Band of Cherokee Indians.

A. Prizes

Weekly Drawings

- Fifty (50) randomized drawings for \$13,333.33 each will take place on a weekly basis for five (5) weeks (each, a gross amount of the "Cash Prize"), for a total value of \$3,333,332.50 for all weekly Cash Prizes. Federal Income Taxes will be withheld and remitted to the IRS on the winner's behalf with the net cash prize for each weekly drawing winner totaling the Cash Prize of \$10,000.00. There will be two additional drawings to be held during the first and the fifth week for \$66,666.67 each for a total gross value of \$133,333.34 for the two additional drawings. Federal Income Taxes will be withheld and remitted to the IRS on the winner's behalf with the net Cash Prize for each of the two additional drawings totaling \$50,000 each.

Minor Winners



- For prize winners 12-17 years of age, the winner will have the Cash Prize placed in a “minors vaccine lottery account” managed by the Eastern Band of Cherokee Indians and shall be eligible to withdraw the funds upon attaining the age of 18 years. The prize winner shall be provided with an annual statement of the account until the cash prize is withdrawn.

Promotion Start Date

- The first weekly drawing of fifty-one (51) winners (50 \$10,000 winners and 1 \$50,000 winner) will be conducted on October 12th, 2021 with subsequent weekly drawings of fifty (50) winners occurring weekly thereafter on Tuesdays with the final weekly drawing of fifty-one winners (50 \$10,000 winners and 1 \$50,000 winner) to be conducted on November 9th, 2021. Any change in the next drawing date will be announced at the time of the drawing.

Date	\$10,000 Drawing (50 winners)	\$50,000 Drawing (1 winner)
October 12, 2021	X	X
October 19, 2021	X	
October 26, 2021	X	
November 2, 2021	X	
November 9, 2021	X	X

B. Process for Randomized Drawings and Award

PHHS will prepare lists of eligible entries based on vaccination records held by the Eastern Band of Cherokee Indians to automatically include anyone who has been vaccinated within the Cherokee health system or anyone with an established health record number with Cherokee Indian Hospital Authority (CIHA) and who hand delivers a copy of their vaccine card/record AND a signed vaccine attestation form to the CIHA patient registration desk OR emails a copy of their vaccine card/record and a signed vaccine attestation form to covidvaccine@cherokeehospital.org. Vaccine attestation forms can be picked up at the PHHS Administration building located at 43 John Crowe Rd., Cherokee, NC 28719 or can be downloaded from the PHHS website <https://phhs.ebci-nsn.gov/>. Eligible entries must be received by 11:59 p.m. the Tuesday before the next week’s drawing. For example, to be eligible



for the October 12th drawing, the vaccine card/record must be received by 11:59 Tuesday, October 5th. Eligible entries will be determined under the terms explained in the “Eligibility” and “Odds of Winning” sections of these Rules.

Separate lists of eligible entrants will be prepared each week for the Weekly Drawing Cash Prize(s) so that winners of a \$10,000 Cash Prize cannot be selected more than once. An exception to this rule is made for the first and fifth-week drawings for the two additional \$50,000 prizes. For those two additional larger Cash Prizes, all eligible entrants, even winners of the smaller \$10,000 Cash Prizes, will be placed back on the list of entrants for the chance to win a \$50,000 net cash prize.

In the lists prepared by PHHS, each eligible entrant will be assigned a unique number and these numbers will be subject to the drawing for Cash Prizes.

Ray, Bumgarner, Kingshill & Associates, CPA will use a random number generator to select fifty (50) winning numbers except during the first and fifth-week drawings, fifty-one (50 \$10,000 winners and 1 \$50,000 winner) winners will be drawn. In case a winner cannot be contacted or refuses the Prize, there will be an additional one hundred (100) alternate winning numbers drawn should an alternate number be needed to reach the goal of fifty (50) winners per week. For the \$50,000 drawing held during the first and fifth week, in case a winner cannot be contacted or refused the Prize, there will be an additional ten (10) alternate winning numbers drawn should an alternate number be needed to reach the goal of one (1) winner for the first and fifth week. Ray, Bumgarner, Kingshill & Associates, CPA will release, in the order drawn, the alternate winning numbers to PHHS to reach its goal of fifty (50) winners per week except for the first and fifth week when a total of fifty-one (51) winners are needed to reach its goal. PHHS will match the randomly drawn winning numbers against the PHHS list of entries to determine who to contact for receipt of the Cash Prize.

All drawings will be conducted by Ray, Bumgarner, Kingshill & Associates, CPA. PHHS shall make audio and visual records of the lottery process.

PHHS will review the provisional Prize winners to determine whether each provisional Prize winner is eligible (as defined below). If the provisional Prize winner appears to be eligible, PHHS will contact that person to confirm eligibility and determine whether he or she is willing to accept the award and is willing to accept the conditions detailed below.

A provisional winner of a Prize will not receive that Prize if he or she is not eligible, is not willing to accept the Prize, is not willing to accept the conditions detailed below, or is not successfully contacted by PHHS. In this situation, PHHS will deem the person corresponding to the highest-placed number on the alternate list as the new provisional Prize winner. Then, PHHS will repeat the above process until an official winner is determined.



In the randomized drawing process, no confidential health information is disclosed or associated with the numbers representing those eligible for the drawing. When a winning number is drawn, that number will be provided to PHHS so that PHHS can match the winning number with PHHS records. Then, PHHS will contact the winner for permission to disclose the winner's name only.

C. Eligibility

NO PURCHASE OR PAYMENT IS NECESSARY TO WIN. ELIGIBLE ENTRANTS ARE ENROLLED IF:

Individuals will be eligible and entered for a chance to win a Cash Prize if they meet all the following requirements:

1. The individual received a vaccine provided by the IHS and administered by the Cherokee Health System and the vaccine was: (a) a dose of the Pfizer or Moderna COVID-19 vaccine; or (b) the single dose of the Johnson & Johnson COVID-19 vaccine. No action is required, and all entrants are automatically entered.
2. The individual received their vaccine from another vaccine provider (Walmart, provider outside of the Cherokee Health System, health department, etc.) and they currently have an established health record with Cherokee Indian Hospital Authority (CIHA) AND the individual hand delivers a copy of their vaccine card/record AND a signed vaccine attestation form to the CIHA patient registration desk OR emails a copy of their vaccine card/record AND a signed vaccine attestation form to Covidvaccine@cherokeehospital.org the individual will be entered into the drawing. The vaccine attestation form can be picked up at the PHHS Administration building located at 43 John Crowe Rd., Cherokee, NC 28719 or downloaded from the PHHS website <https://phhs.ebci-nsn.gov/>
3. The vaccination documents (vaccine card/record) need to be received by the CIHA patient registration desk by 11:59 pm the Tuesday before the next week's drawing. For example, to be eligible for the October 12th drawing, the vaccine card/record must be received by 11:59 Tuesday, October 5th See below for specific deadline dates.

Date vaccination documents are due:	Vax Cash drawing date:
October 5 th , 2021 by 11:59 p.m.	October 12, 2021
October 12 th , 2021 by 11:59 p.m.	October 19 th , 2021
October 19 th , 2021 by 11:59 p.m.	October 26 th , 2021
October 26 th , 2021 by 11:59 p.m.	November 2 nd , 2021
November 2 nd , 2021 by 11:59 p.m.	November 9 th , 2021

4. An individual is a living person who, at the time of the vaccination, was at least twelve (12) years of age.



5. The individual is not removed from eligibility under any of the other terms in these Rules.

All eligible entrants are qualified regardless of tribal membership status.

D. People Who Are Not Eligible

Deceased individuals. If the entrant is deceased, the right to receive the prize is forfeited.

E. People Who Are Not Eligible Because They or Their Immediate Family Members Administer the Program

Any employee or immediate family member associated with Ray, Bumgarner, Kingshill & Associates, CPA, and Bakertilly US, LLP who are certifying and drawing the randomly generated numbers assigned to each eligible person in the PHHS vaccine database.

F. Random Drawing and Results; Odds of Winning

The provisional winners of the drawings will be randomly selected from among all eligible entries. The odds of winning are dependent upon the total number of eligible entries, at the time of each drawing.

Individuals receive one (1) entry into the Promotion if, beginning December 13th, 2020, they received either: (a) a dose of the Pfizer or Moderna COVID-19 vaccine or (b) the single dose of the Johnson & Johnson COVID-19 vaccine. There will be no additional entries for additional doses of the Pfizer, Moderna, Johnson & Johnson COVID-19 vaccines.

G. People Who Are Not Eligible for Other Reasons

1. A person is eligible to win a Prize twice in this Promotion. A person may win twice during the first and fifth weekly Prize drawing and may win once during the second, third, and fourth weekly drawings. Any person who has already won a Prize in the weekly drawing is disqualified from receiving any additional weekly Prizes and their names will be removed from any additional drawings.
2. Prize winners must consent to the use of their name, image, and likeness by PHHS for publicity purposes as a condition of receiving the Prize. Prize winners may not remain anonymous.
3. Proof of age and identity must be furnished upon request.
4. A person must have submitted the required documentation and releases as part of the claims process by the required deadlines specified in Section I (Winner Selection and Notification)



below. Failure to respond or submit by these deadlines will result in forfeiture of the applicable Prize, and an alternate winner will be selected.

5. A person shall be disqualified from the Promotion if he or she intentionally requests and receives an unnecessary duplicate set of vaccine doses.
6. A person shall be disqualified from the Promotion if he or she was vaccinated under an alias.

H. Other Terms

1. All winner information and eligibility will be reviewed prior to the declaration of an official winner. Potential winners' information will be validated by PHHS.
2. Verification of all information must be presented to claim any Prize.
3. A Prize winner may not assign or transfer the Prize before it is awarded or received.
4. Any and all Prize payments are dependent upon and subject to the availability of funds to the relevant tribal agency for the purpose set forth in these Rules.
5. Prize winners will need to have a social security number, government-issued identification, or a tax identification number before they can accept any Prize funds. If a Prize winner does not certify that he or she is willing to set up a social security number or tax identification number, that will result in forfeiture of the applicable Prize and an alternate winner will be selected.
6. PHHS reserves the right at their sole discretion to cancel, terminate, modify, or suspend the Promotion for technical, financial, or other business reasons without prior notice.
7. The Promotion is in no way sponsored, endorsed, administered by, or associated with, any social media provider or Internet site on which Promotion-related material may appear, including but not limited to Facebook or Instagram.

I. Winner Selection and Notification

Starting on the day of each drawing, or the business day immediately following each drawing, PHHS will attempt to contact each provisional winner of a Prize via telephone, email address, and/or address provided by that person when he or she was vaccinated. The provisional winner forfeits the Prize if PHHS is unable to contact him or her, or if the provisional winner:

1. fails to respond verbally or in writing that he or she intends to claim the Prize by the close of business (5:00 pm EDT) on the second business day following PHHS's first attempt to contact the provisional winner, or
2. fails to submit consent and claim forms by the close of business on the business day following provisional winner providing his or her intent to claim the Prize. for example, if the drawing was held on a Wednesday and PHHS first attempted to contact the provisional winner on Thursday, the provisional winner must provide verbal or written intent to claim



the Prize by 5:00 pm EST on the following Monday and, if he or she provides the intent on Monday, he or she must submit the consent and claims forms by 5:00 pm EST on Tuesday.

The Prize winner must take possession of the Prize in accordance with instructions provided by PHHS by the close of business on the thirtieth (30th) day after submitting the consent and claims forms. For example, if the Prize winner submits the consent and claims form on August 1, 2021, he or she must take possession of the Prize on or before August 31, 2021. If the thirtieth (30th) day is a weekend or a Tribal holiday, the deadline will be extended until the next business day. All Cash Prizes awarded to adults will be in the form of a check issued by the Eastern Band of Cherokee Indians. The check must be remitted for payment within ninety (90) days of the check's issuance. Checks not remitted for payment within ninety (90) days will be voided and the Cash Prize and check will not be re-issued.

J. Taxes and Offsets

1. All Cash Prizes are subject to mandatory minimum federal and state tax (if applicable) withholdings. Federal tax will be withheld from the gross amount of the Cash Prize. Prize winners will be responsible for reporting and paying any federal and state taxes due.
2. The Cash Prize will constitute taxable income to the Prize winner and is not intended to be exempt from taxation. An IRS Form 1099 will be issued by the Tribe to each Cash Prize winner.
3. Any taxes resulting from the receipt of the Prize are the responsibility of the winner. Winners are fully responsible for all applicable federal and state taxes and any other fees that may occur. Winners are advised to consult with an attorney or tax advisor regarding tax or personal financial implications of accepting the Prize.

K. Refusal of Prize

Winners may refuse the Prizes. If a winner declines a Prize or fails to claim a Prize within the specified periods stated above, the winner permanently loses all right to claim or receive the Prize.

L. Release of Liability

By accepting a Prize in this Promotion, a person must agree to release and hold harmless the Eastern Band of Cherokee Indians, PHHS, and its employees, officers, and directors from and against any loss, claim, damage, suit, or injury arising out of or relating to the Promotion or any action taken pursuant to these Rules.

M. Rules Control



In the event of a conflict between these Rules and any other form of communication including but not limited to advertising or promotional materials concerning the Promotion, the Rules control. In the event of a conflict between these Rules and any executive order relating to the Promotion, the Rules control.