

Financial Statements  
and Independent Auditors' Report  
Permanent Health Fund  
*Years Ended August 31, 2009 and 2008*

Permanent Health Fund

Financial Statements

Years Ended August 31, 2009 and 2008

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## Independent Auditors' Report

The Board of Regents of The University of Texas System  
The Board of Directors of The University of Texas Investment Management Company

We have audited the accompanying Statements of Fiduciary Net Assets of The Permanent Health Fund (the "Fund"), as of August 31, 2009 and August 31, 2008, and the related Statements of Changes in Fiduciary Net Assets for the years then ended. These financial statements are the responsibility of The University of Texas Investment Management Company ("UTIMCO" or "management"). Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing the audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Fund's internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statements presentation. We believe that our audits provide a reasonable basis for our opinion.

As discussed in Note 1, the financial statements of the Fund are intended only to present the financial position of the Fund and do not purport to, and do not, present the financial positions of UTIMCO or The University of Texas System as of August 31, 2009 or August 31, 2008, and the changes in their financial positions for the years then ended in conformity with accounting principles generally accepted in the United States.

As discussed in Note 3, the financial statements include an investment in the University of Texas System General Endowment Fund (the "GEF"), valued at \$841,995,212 and \$1,025,367,871 as of August 31, 2009 and August 31, 2008, respectively. The GEF has 52.9% and 51.5% of its net assets as of August 31, 2009 and August 31, 2008, respectively, invested in assets whose fair

values have been estimated by management in the absence of readily determinable fair values. Management's estimate of the value of the Fund is based on upon the net asset value per unit of GEF, which is also calculated by UTIMCO.

In our opinion, the financial statements present fairly, in all, material respects, the financial position of the Fund as of August 31, 2009 and August 31, 2008, and the changes in its financial position for the years then ended in conformity with accounting principles generally accepted in the United States of America.

Management' discussion and analysis on pages 3 through 6 is not a required part of the basic financial statements, but is supplementary information required by the Governmental Accounting Standards Board. This supplementary information is the responsibility of management. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the supplementary information. However, we did not audit information and express no opinion on it.

Our audits were conducted for the purpose of forming an opinion on the financial statement of the Fund. The supplemental schedules are presented for purposes of additional analysis and are not a required part of the basic financial statements. This supplementary information is the responsibility of management. The supplemental schedules as of and for the years ended August 31, 2009 and August 31, 2008, have been subjected to the audit procedures applied by us (with 2006, 2005, and 2004 being subject to audit procedures by other auditors) in the audits of the basic financial statements and, in our opinion, are fairly stated in all material respects in relation to the basic financial statements taken as a whole.

*Deloitte & Touche LLP*

October 30, 2009

### MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A)

Our discussion and analysis of the Permanent Health Fund's (Fund) financial performance provides an overview of its activities for the year ended August 31, 2009. This discussion was prepared by The University of Texas Investment Management Company (UTIMCO) and should be read in conjunction with the Fund's financial statements and notes. The Fund is a pooled investment fund for the collective investment of state endowment funds for health-related institutions of higher education. The University of Texas System Board of Regents (UT Board) established the Fund in August 1999 with proceeds from state tobacco litigation. The Texas Constitution and various state statutes designate the UT Board as the fiduciary for the management of certain public endowment and operating funds. The UT Board has entered into an Investment Management Services Agreement delegating investment management responsibility for all investments to UTIMCO.

On March 1, 2001, the Fund purchased units in the General Endowment Fund (GEF) in exchange for the contribution of its investment assets. The GEF, established by the UT Board effective March 1, 2001, is a pooled fund for the collective investment of long-term funds under the control and management of the UT Board. The GEF has only two participants: the Fund and The University of Texas System Long Term Fund (LTF), which was also established by the UT Board. The GEF is organized as a pooled investment fund in which the Fund and the LTF purchase and redeem units quarterly. The GEF is under the fiduciary responsibility of the UT Board and is provided day-to-day operations by UTIMCO.

The purpose of the MD&A is to provide an objective and easily readable analysis of the Fund's financial statements based upon currently known facts, decisions or conditions.

#### Financial Highlights

- The Fund's net fiduciary assets after distributions, decreased by \$183.4 million from \$1,025.7 million to \$842.3 million or by approximately 17.9% for the year ended August 31, 2009, compared to a decrease of \$74.4 million or approximately 6.8% for the year ended August 31, 2008. The change in net fiduciary assets from year to year is mainly attributable to the following:
  1. The Fund posted a net investment loss of 13.27%, calculated using the Modified Dietz Method as described by the CFA Institute, for the fiscal year ended August 31, 2009, compared to a net investment loss of 3.14% for the prior fiscal year. The net investment return of the Fund is dependent on the results of the investments held in the GEF. The GEF's investments in private investment funds, hedge funds, real estate, natural resources, and developed country and emerging markets equities were negative contributors to the 2009 return, while investment grade and credit-related fixed income posted positive returns. For the fiscal year ended August 31, 2008, the private investment funds, hedge funds, natural resources, and investment grade fixed income were the leading performers.

## **PERMANENT HEALTH FUND**

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2. The Fund's distribution rate was increased by 3.3%, approximately the three year average rate of inflation, for the year ended August 31, 2009. This equated to an increase in the 2009 rate to \$.0528 per unit from the 2008 rate of \$.0511 per unit. The 2008 rate was increased by 3.0% from the fiscal year ended August 31, 2007 rate. The fiscal year distributions represented 5.18% of the Fund's average net asset value for the year ended August 31, 2009, and 3.82% of the Fund's average net asset value for the year ended August 31, 2008.
3. There were no participant contributions to the Fund or withdrawals from the Fund during the years ended August 31, 2009 and 2008.

### **Use of Financial Statements and Notes**

The Fund's financial statements were prepared in accordance with standards issued by the Governmental Accounting Standards Board (GASB). Two financial statements are required by the GASB: the Statement of Fiduciary Net Assets and the Statement of Changes in Fiduciary Net Assets.

The notes to the financial statements contain supplemental information that is essential for the fair presentation of the financial statements.

### **Statements of Fiduciary Net Assets**

The Statements of Fiduciary Net Assets present assets, liabilities, and net assets of the Fund as of the end of the fiscal year. These statements, along with all of the Fund's financial statements, are prepared using the accrual basis of accounting, whereby Fund investment income is recognized when earned and Fund expenses are recognized when incurred.

Since the Fund invests in only GEF units and a negligible amount of cash, the majority of the Fund's net assets represent investment in GEF units.

As of August 31, 2009, the Fund owned 5,563,857 GEF units representing an ownership percentage of 15.71%, compared to 5,883,848 GEF units representing an ownership percentage of 16.25% as of August 31, 2008. As of August 31, 2009 and 2008, the fair value of the GEF units was \$842.0 million and \$1,025.4 million, respectively.

The GEF invests in a broad mix of investments and is actively managed to its benchmark, the Endowment Policy Portfolio. The Endowment Policy Portfolio is the index or benchmark for the endowment funds that UTIMCO manages. The return of the Endowment Policy Portfolio is the sum of the weighted benchmark returns for each asset class. UTIMCO allocates GEF's assets to internally and externally managed portfolios in accordance with approved asset allocation policies, and attempts to supplement the original endowment corpus by increasing purchasing power over time.

## PERMANENT HEALTH FUND

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The following summarizes the Statements of Fiduciary Net Assets (in millions):

	<u>2009</u>	<u>2008</u>	<u>2007</u>
<b>Assets</b>			
General Endowment Fund Units, at Fair Value	\$ 842.0	\$ 1,025.4	\$ 1,099.8
Cash and Cash Equivalents	0.3	0.3	0.3
<b>Net Assets Held in Trust</b>	<u>\$ 842.3</u>	<u>\$ 1,025.7</u>	<u>\$ 1,100.1</u>

### Statements of Changes in Fiduciary Net Assets

Changes in fiduciary net assets as presented on the Statements of Changes in Fiduciary Net Assets are based on activity of the Fund. The purpose of these statements is to present additions to the Fund resulting from net investment income and participant contributions and to present deductions from the Fund resulting from participant distributions.

The net decrease in appreciation of investments of the Fund was \$148.9 million during the year compared to a decrease in the appreciation of investments of \$47.8 million for the fiscal year ended August 31, 2008. Investment expenses totaled \$0.9 million for the fiscal year ended August 31, 2009, \$1.0 million for the fiscal year ended August 31, 2008, and \$0.8 for the fiscal year ended August 31, 2007.

Distributions to participants totaled \$43.3 million, \$41.9 million and \$40.7 million, respectively, for the years ended August 31, 2009, 2008, and 2007. The increase in distributions is a result of the UT Board increasing the distribution rate from \$0.0511 per unit to \$0.0528 per unit for fiscal year 2009. The increase for fiscal year 2008 is a result of the UT Board's increase of the distribution rate from \$0.0496 per unit to \$0.0511 per unit.

The Fund's objectives are:

- Provide for current beneficiaries by increasing the annual distribution rate at least equal to the rate of inflation so that real purchasing power is maintained, and
- Provide for future beneficiaries by increasing the market value of endowment funds after the annual distribution at a rate at least equal to the rate of inflation so that future distributions maintain purchasing power as well.

Fund distributions are controlled by a spending policy approved by the UT Board. The key to preservation of endowment purchasing power over the long-term is control of spending through a target distribution rate. This target rate should not exceed the endowment's average annual investment return after fund expenses and inflation. The Fund distributions are increased annually at an three year average rate of inflation provided that the distribution rate remains within a range of 3.5% to 5.5% of the Fund's net asset value. As reported on the financial highlights schedule of the financial statements, the ratio of distributions to average net assets (12-quarter average) has remained between 3.5% to 5.5%.

## PERMANENT HEALTH FUND

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The following table summarizes the Statements of Changes in Fiduciary Net Assets (in millions):

	<u>2009</u>	<u>2008</u>	<u>2007</u>
Investment Income (Loss)	\$ (139.2)	\$ (31.5)	\$ 154.6
Less Investment Expenses	(0.9)	(1.0)	(0.8)
Net Investment Income (Loss)	(140.1)	(32.5)	153.8
Participant Distributions	43.3	41.9	40.7
Total Deductions	43.3	41.9	40.7
Change in Fiduciary Net Assets	(183.4)	(74.4)	113.1
Net Assets Held in Trust, Beginning of Year	1,025.7	1,100.1	987.0
Net Assets Held in Trust, End of Year	<u>\$ 842.3</u>	<u>\$ 1,025.7</u>	<u>\$ 1,100.1</u>

### Contacting UTIMCO

The above financial highlights are designed to provide a general overview of the Fund's investment results and insight into the following financial statements. Additional information may be found on our website and inquiries may be directed to UTIMCO via [www.utimco.org](http://www.utimco.org).



## PERMANENT HEALTH FUND

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### Statements of Fiduciary Net Assets

August 31, 2009 and 2008

(Dollars in thousands, except per unit amounts)

	<u>2009</u>	<u>2008</u>
<b>Assets</b>		
General Endowment Fund Units, at Fair Value	\$ 841,995	\$ 1,025,367
Cash and Cash Equivalents	274	326
Other	<u>8</u>	<u>-</u>
<b>Net Assets Held in Trust (820,000,000 Units)</b>	<u>\$ 842,277</u>	<u>\$ 1,025,693</u>
<b>Net Asset Value Held in Trust Per Unit</b>	<u>\$ 1.027</u>	<u>\$ 1.251</u>

*The accompanying notes are an integral  
part of these financial statements*

## PERMANENT HEALTH FUND

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### Statements of Changes in Fiduciary Net Assets

Years Ended August 31, 2009 and 2008

(in thousands)

	<u>2009</u>	<u>2008</u>
<b>Additions</b>		
Investment Income:		
Net Decrease in Investments	\$ (148,661)	\$ (47,829)
Allocation of General Endowment Fund Net Investment Income	9,508	16,329
Other	1	1
Total Investment Loss	<u>(139,152)</u>	<u>(31,499)</u>
Less Investment Expenses:		
UTIMCO Management Fee	910	905
Other Expenses	<u>32</u>	<u>33</u>
Total Investment Expenses	<u>942</u>	<u>938</u>
Net Investment Loss	(140,094)	(32,437)
<b>Deductions</b>		
Administrative Fee for UT System Oversight	26	24
Participant Distributions	<u>43,296</u>	<u>41,902</u>
<b>Total Deductions</b>	<u>43,322</u>	<u>41,926</u>
<b>Change in Fiduciary Net Assets</b>	(183,416)	(74,363)
Net Assets Held in Trust, Beginning of Year	<u>1,025,693</u>	<u>1,100,056</u>
<b>Net Assets Held in Trust, End of Year</b>	<u>\$ 842,277</u>	<u>\$ 1,025,693</u>

*The accompanying notes are an integral  
part of these financial statements*

## PERMANENT HEALTH FUND

### *Notes to Financial Statements*

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#### **Note 1 – Organization and Basis of Presentation**

The Permanent Health Fund (Fund) is a pooled investment fund established for the collective investment of state endowment funds for health-related institutions of higher education, created August 30, 1999. The distributions from the Fund endowments support programs that benefit medical research, health education, public health, nursing, and treatment programs at health-related institutions of higher education. Fiduciary responsibility for the Fund rests with the Board of Regents of The University of Texas System (UT Board). The day-to-day operational responsibilities of the Fund are delegated to The University of Texas Investment Management Company (UTIMCO), pursuant to an Investment Management Services Agreement with the UT Board.

On March 1, 2001, the Fund purchased units in the General Endowment Fund (GEF) in exchange for the contribution of its investment assets. The GEF, established by the UT Board effective March 1, 2001, is a pooled fund for the collective investment of long-term funds under the control and management of the UT Board. The performance of the Fund is significantly impacted by the performance of the GEF. The GEF has only two participants: the Fund and The University of Texas System Long Term Fund (LTF), which was also established by the UT Board. The GEF is organized as a pooled investment fund in which the Fund and the LTF purchase and redeem units quarterly. The GEF is under the fiduciary responsibility of the UT Board and is provided day-to-day operations by UTIMCO.

The activities of the Fund are accounted for as a fiduciary fund. The financial statements of the Fund use an economic resources measurement focus and the accrual basis of accounting, whereby revenues are recorded when earned and expenses are recorded when a liability is incurred regardless of the timing of cash flows. The financial statements of the Fund are prepared in accordance with the requirements of the Governmental Accounting Standards Board (GASB).

The annual combined financial statements of The University of Texas System are prepared in accordance with the Texas Comptroller of Public Accounts' Annual Financial Reporting Requirements and include information related to the Fund. The accompanying financial statements may differ in presentation from the Texas Comptroller of Public Accounts' Annual Financial Reporting Requirements.

#### **Note 2 – Investment in GEF**

The Fund only invests in GEF units and a negligible amount of cash. The Fund also continues to receive securities as proceeds in class action suits from the securities the Fund previously owned. These securities are normally sold when received, but from time to time will be reflected as a Fund investment. At August 31, 2009, the Fund is the minority participant in the GEF, with ownership of 5,563,857 units, which represents 15.71% of the GEF. At August 31, 2008, the Fund held 5,883,848 units, which represented 16.25% of the GEF.

## PERMANENT HEALTH FUND

### *Notes to Financial Statements (cont.)*

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The GEF and the Fund have identical investment objectives. Additionally, the GEF's accounting policies follow the Fund's, as described in Note 3, except for the distributions to participants. On a monthly basis for accounting purposes, the GEF allocates its net investment income and realized gain or loss to the Fund based on its ownership of GEF units at month end. The allocated investment income and realized gain amounts increase the cost basis of the units in the GEF, and any allocated realized losses reduce the cost basis of the units in the GEF. Since the allocation is proportional to the percentage of ownership by the unitholders, no additional units are purchased. The Fund redeems GEF units quarterly to meet its distribution requirements to its unitholders.

### **Note 3 – Significant Accounting Policies**

(A) **Security Valuation** -- The Fund's investment in GEF units is valued at the net asset value per unit reported by the GEF. Investment assets which are held in the GEF that have readily determinable fair values are primarily valued on the basis of market valuations provided by independent pricing services. The GEF's investments in private investment funds, hedge funds, U.S. equity, non-U.S. equity, emerging market and fixed income investment funds and certain other equity securities are fair valued by management using the investments' capital balances and net asset value information provided by the investment manager as well as other considerations as described in the notes to the GEF financial statements. The Fund's investment in the GEF is valued at \$841,995,212 and \$1,025,367,871, as of August 31, 2009 and 2008, respectively.

(B) **Investment Income** -- Interest income is accrued as earned.

(C) **Security Transactions** -- A gain or loss is recognized on GEF unit sales on the basis of average cost.

(D) **Distributions to Participants** -- Cash distributions to participants are paid quarterly based on a per unit payout established by the UT Board. For the year ended August 31, 2009 the quarterly rate was \$.0132 per unit which equates to an annual rate of \$.0528 per unit and for the year ended August 31, 2008, the quarterly rate was \$.012775 per unit which equated to an annual rate of \$.0511 per unit. The ratio of distributions to average net assets (12-quarter average) was 4.26% as of August 31, 2009. The investment policy provides that the annual payout will be adjusted by the average consumer price index of the prior 36 months subject to a maximum distribution of 5.5% of the Fund's average market value and a minimum distribution of 3.5% of the Fund's average market value.

(E) **Fund Valuation** -- Valuation of the Fund's units occurs on a quarterly basis. Unit values are determined by dividing the value of the Fund's net assets by the number of units outstanding on the valuation date.

(F) **Purchases and Redemption of Units** -- Unit purchases occur on the first business day of each fiscal quarter. Unit redemptions occur on the last business day of each fiscal quarter. The value of participating units, upon admission to the Fund, is based upon the market value of net assets held as of the quarterly valuation date. Redemptions from the Fund will also be made at the market value price per unit at the quarterly valuation date at the time of the withdrawal. There are no transaction costs incurred by participants for the purchase or redemption of units.

## PERMANENT HEALTH FUND

### *Notes to Financial Statements (cont.)*

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(G) **Participants' Net Assets** -- All participants in the Fund have a proportionate interest in the Fund's net assets.

(H) **Use of Estimates** -- The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from these estimates.

(I) **Cash and Cash Equivalents** -- Cash and Cash Equivalents consist of money market investments and other overnight funds.

#### **Note 4 – Investment Risk**

The investment risk disclosure that follows relates to the GEF's investments before securities lending transactions and the investment of cash collateral. Disclosures relating to the GEF's securities lending transactions are provided in Note 5. Values presented are the Fund's pro-rata share of GEF investments based on its unit ownership in the GEF. As of August 31, 2009 and 2008, the Fund's unit ownership in the GEF was 15.71% and 16.25%, respectively, of the total.

#### **(A) Credit Risk**

Article VII, Section 11b of the Texas Constitution authorizes the UT Board, subject to procedures and restrictions it establishes, to invest the Permanent University Fund (the "PUF") in any kind of investment and in amounts it considers appropriate, provided that it adheres to the prudent investor standard. This standard provides that the UT Board, in making investments, may acquire, exchange, sell, supervise, manage, or retain, through procedures and subject to restrictions it establishes and in amounts it considers appropriate, any kind of investment that prudent investors, exercising reasonable care, skill and caution, would acquire or retain in light of the purposes, terms, distribution requirements, and other circumstances of the fund then prevailing, taking into consideration the investment of all of the assets of the fund rather than a single investment. Pursuant to Section 51.0031(c) of the Texas Education Code, the UT Board has elected the prudent investor standard to govern its management of the GEF.

Credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization (NRSRO). During the year ended August 31, 2008, the Fund's investment policy was amended to remove requirements regarding investment ratings. The amendments were effective March 1, 2008. Prior to the amendments, the policy limited investments in U.S. Domestic bonds and non-dollar denominated bond investments to those that are rated investment grade, Baa3 or better by Moody's Investor Services, BBB- or better, by Standard & Poor's Corporation, or BBB- or better by Fitch Investors Service at the time of acquisition. These requirements did not apply to investment managers that were authorized by the terms of an investment advisory agreement to invest in below investment grade bonds. Per GASB Statement No. 40 (GASB 40), *Deposit and Investment Risk Disclosures, an amendment to GASB Statement No. 3*, unless there is information to the contrary, obligations of the U.S. government or obligations explicitly guaranteed by the U.S. government are not

## **PERMANENT HEALTH FUND**

### ***Notes to Financial Statements (cont.)***

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considered to have credit risk and do not require disclosure of credit quality. GASB 40 also provides that securities with split ratings, or a different rating assignment between NRSROs, are disclosed using the rating indicative of the greatest degree of risk. The following table presents the Fund's pro-rata share of each applicable GEF investment type grouped by rating as of August 31, 2009 and 2008:

**PERMANENT HEALTH FUND**  
**Notes to Financial Statements (cont.)**

GEF Investment Type	Fund's Pro-Rata Share		Rating
	August 31,		
	2009	2008	
U.S. Government Guaranteed	\$ 9,852,671	\$ 26,207,783	Exempt from Disclosure
U.S. Government Non-Guaranteed:			
U.S. Agency	87,632	-	AAA
U.S. Agency Asset Backed	12,022,085	24,430,256	AAA
Total U.S. Government Non-Guaranteed	12,109,717	24,430,256	
Total U.S. Government	21,962,388	50,638,039	
Corporate Obligations:			
Domestic	7,076,547	9,987,360	AAA
Domestic	2,188,364	4,290,288	AA
Domestic	8,207,488	9,621,705	A
Domestic	5,610,776	5,065,476	BAA/BBB
Domestic	1,251,232	172,568	BA/BB
Domestic	1,134,758	297,242	B
Domestic	4,498,456	48,547	CAA/CCC
Domestic	1,235,408	-	CC
Domestic	1,096,692	-	C
Domestic	126,201	-	D
Domestic	57,299	-	No Rating
Domestic	-	100,189	P
Commercial Paper	-	1,451,981	P
Certificates of Deposit	-	341,227	A
Foreign	4,253,812	3,390,068	AAA
Foreign	1,652,215	2,377,902	AA
Foreign	1,091,414	2,190,299	A
Foreign	1,422,249	1,957,817	BAA/BBB
Foreign	54,566	-	BA/BB
Foreign	115,888	-	B
Foreign	46,195	-	CAA/CCC
Foreign	68,335	70,178	No Rating
Total Corporate Obligations	41,187,895	41,362,847	
Foreign Government and Provincial Obligations	8,043,768	10,806,015	AAA
Foreign Government and Provincial Obligations	1,413,343	4,903,902	AA
Foreign Government and Provincial Obligations	1,663,256	4,636,412	A
Foreign Government and Provincial Obligations	582,507	1,012,550	BAA/BBB
Foreign Government and Provincial Obligations	953,862	1,034,523	BA/BB
Foreign Government and Provincial Obligations	137,774	-	No Rating
Total Foreign Government and Provincial Obligations	12,794,510	22,393,402	
Other Debt Securities	-	97,104	AAA
Other Debt Securities	199,793	230,659	AA
Other Debt Securities	46,816	179,127	A
Other Debt Securities	171,297	287,251	BAA/BBB
Other Debt Securities	-	414,632	No Rating
Total Other Debt Securities	417,906	1,208,773	
Total Debt Securities	\$ 76,362,699	\$ 115,603,061	
Other Investment Funds - Debt	\$ 261,998	\$ -	AAA
Other Investment Funds - Debt	15,898,787	17,436,447	AA
Other Investment Funds - Debt	706,718	1,204,635	BA/BB
Other Investment Funds - Debt	4,741,298	132,491	B
Total Other Investment Funds - Debt	\$ 21,608,801	\$ 18,773,573	
Cash and Cash Equivalents - Money Market Funds	\$ 68,771,915	\$ 76,252,470	AAA
<b>Net Deposit with (from) Brokers for Derivative Contracts:</b>			
U.S. Government Guaranteed	\$ 2,609,700	\$ 3,245,982	Exempt from Disclosure
Cash	2,341,096	2,390,716	Exempt from Disclosure
<b>Net Deposit with (from) Brokers for Derivative Contracts:</b>	\$ 4,950,796	\$ 5,636,698	

## PERMANENT HEALTH FUND

### *Notes to Financial Statements (cont.)*

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#### **(B) Concentrations of Credit Risk**

The GEF's investment policy statement contains the limitation that no more than 5% of the market value of domestic fixed income securities may be invested in corporate or municipal bonds of a single issuer. The GEF does not hold any direct investments in any one issuer of corporate or municipal bonds that is 5% or more of the market value of the GEF's domestic fixed income investments.

#### **(C) Custodial Credit Risk**

Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, the GEF will not be able to recover its deposits or will not be able to recover collateral securities that are in the possession of an outside party. The custodial credit risk for investments is the risk that, in the event of the failure of the counterparty to a transaction, the GEF will not be able to recover the value of its investment or collateral securities that are in the possession of another party. Texas State Statutes and the GEF's investment policy statements do not contain legal or policy requirements that would limit the exposure to custodial credit risk for deposits or investments. As of August 31, 2009 and 2008, the GEF does not have any deposits or investments that are exposed to custodial credit risk.

#### **(D) Interest Rate Risk**

Interest rate risk is the risk that changes in market interest rates will adversely affect the value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its value to changes in market interest rates. Interest rate risk inherent in the GEF is measured by monitoring the modified duration of the overall investment portfolio. Modified duration estimates the sensitivity of the GEF's investments to changes in interest rates. The GEF has no specific policy statement limitations with respect to its overall modified duration. The following table summarizes the GEF's modified duration and the Fund's pro-rata share of the GEF investment value by investment type as of August 31, 2009 and 2008:



**PERMANENT HEALTH FUND**  
**Notes to Financial Statements (cont.)**

GEF Investment Type	Fund's Pro-Rata Share			
	August 31,			
	2009		2008	
	Value	Modified Duration	Value	Modified Duration
U.S. Government Guaranteed:				
U.S. Treasury Bonds and Notes	\$ 4,527,125	10.67	\$ 4,274,401	5.35
U.S. Treasury Strips	455,150	2.00	469,362	3.00
U.S. Treasury Bills	502,192	0.47	542,633	0.05
U.S. Treasury Inflation Protected	500,200	3.55	17,062,313	8.82
U.S. Agency Asset Backed	3,868,004	1.76	3,859,074	3.85
Total U.S. Government Guaranteed	<u>9,852,671</u>	5.89	<u>26,207,783</u>	7.24
U.S. Government Non-Guaranteed:				
U.S. Agency	87,632	13.77	-	-
U.S. Agency Asset Backed	12,022,085	3.35	24,430,256	5.92
Total U.S. Government Non-Guaranteed	<u>12,109,717</u>	3.42	<u>24,430,256</u>	5.92
Total U.S. Government	<u>21,962,388</u>	4.53	<u>50,638,039</u>	6.60
Corporate Obligations:				
Domestic	32,483,221	4.80	29,583,375	5.14
Commercial Paper	-	-	1,451,981	0.11
Certificates of Deposit	-	-	341,227	0.70
Foreign	8,704,674	4.79	9,986,264	5.03
Total Corporate Obligations	<u>41,187,895</u>	4.80	<u>41,362,847</u>	4.90
Foreign Government and Provincial Obligations	<u>12,794,510</u>	6.60	<u>22,393,403</u>	7.36
Other Debt Securities	<u>417,906</u>	10.18	<u>1,208,775</u>	6.95
Total Debt Securities	<u>76,362,699</u>	5.05	<u>115,603,064</u>	6.14
Other Investment Funds - Debt	<u>21,608,801</u>	5.69	<u>18,773,573</u>	5.70
Cash and Cash Equivalents:				
Money Market Funds	<u>68,771,915</u>	0.08	<u>76,252,470</u>	0.08
Total	<u>\$ 166,743,415</u>	3.08	<u>\$ 210,629,107</u>	3.91
<b>Net Deposit with (from) Brokers for Derivative Contracts:</b>				
U.S. Government Guaranteed:				
U.S. Treasury Bills	\$ 2,609,700	0.75	\$ 3,245,982	0.14
Cash	<u>2,341,096</u>	-	<u>2,390,716</u>	-
Total Net Deposit with (from) Brokers for Derivative Contracts	<u>\$ 4,950,796</u>	0.40	<u>\$ 5,636,698</u>	0.08

## PERMANENT HEALTH FUND

*Notes to Financial Statements (cont.)*

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### **(E) Investments with Fair Values That Are Highly Sensitive to Interest Rate Changes**

The GEF may invest in various mortgage backed securities, such as collateralized mortgage backed obligations. The GEF also may invest in investments that have floating rates with periodic coupon changes in market rates, zero coupon bonds and stripped Treasury and Agency securities created from coupon securities. No percentage of holdings limitations are specified in the investment policy statements regarding these types of securities. As of August 31, 2009 and 2008, the GEF's investments include the following investments that are highly sensitive to interest rate changes.

Collateralized mortgage obligations which are subject to early payment in a period of declining interest rates. The resultant reduction in expected total cash flows will affect the fair value of these securities. The Fund's pro-rata share of these securities amounted to \$22,130,335 and \$15,495,011 as of August 31, 2009 and 2008, respectively.

Mortgage backed securities which are subject to early payment in a period of declining interest rates. The resultant reduction in expected total cash flows will affect the fair value of these securities. The Fund's pro-rata share of these securities amounted to \$8,955,288 and \$20,956,132 as of August 31, 2009 and 2008, respectively.

Asset backed securities which are backed by home equity loans, auto loans, equipment loans and credit card receivables. Prepayments by the obligees of the underlying assets in periods of decreasing interest rates could reduce or eliminate the stream of income that would have been received. The Fund's pro-rata share of these securities amounted to \$3,441,323 and \$2,773,205 as of August 31, 2009 and 2008, respectively.

Step-up notes that grant the issuer the option to call the note on certain specified dates. At each call date, should the issuer not call the note, the coupon rate of the note increases (steps up) by an amount specified at the inception of the note. The call feature embedded within a step-up note causes the fair value of the instrument to be considered highly sensitive to interest rate changes. The Fund's pro-rata share of these securities amounted to \$17,910 as of August 31, 2008. There were no step-up notes held as of August 31, 2009.

### **(F) Foreign Currency Risk**

Foreign currency risk is the risk that changes in exchange rates will adversely affect the fair value of the GEF's non-U.S. dollar investments. As of August 31, 2009, there are no limitations on investments in non-U.S. denominated bonds or common stocks in relation to the GEF's total fixed income and developed country equity exposures in the GEF's investment policy statement. The GEF's investment policy statement was amended during the year ended August 31, 2008, to remove limitations on investments in non-U.S. denominated bonds. The amendments became effective

## PERMANENT HEALTH FUND

### *Notes to Financial Statements (cont.)*

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March 1, 2008. Prior to the amendment, the policy statement limited investments in non-U.S. denominated bonds to 50% of the GEF's total fixed income exposure.

One of the GEF's external managers employs an investment strategy in which they hedge their long non-U.S. investment positions back to the U.S. dollar by utilizing currency transactions in amounts equal to the long investment position. In the following table the negative amounts shown for the Danish Krone, Euro, Hong Kong Dollar, Swiss Franc, and the UK Pound in the cash and cash equivalents section reflect this strategy. The negative amounts offset long positions presented in the foreign common stock section.

Classification between domestic common stock and foreign common stock in the supplemental schedule, Comparison Summary of Investments, is based on the country of domicile of the issuer, not the currency in which the security is traded. The following table summarizes the Fund's pro-rata exposure of the GEF's non-U.S. dollar investments at August 31, 2009 and 2008:

# PERMANENT HEALTH FUND

## Notes to Financial Statements (cont.)

GEF Investment Type	Fund's Pro-Rata Share	
	August 31,	
	2009	2008
<b>Domestic Common Stock:</b>		
Canadian Dollar	\$ 15,740	\$ -
UK Pound	-	7,950
Total Domestic Common Stock	15,740	7,950
<b>Foreign Preferred Stock:</b>		
Brazilian Real	886,259	-
<b>Foreign Common Stock:</b>		
Australian Dollar	1,934,649	1,748,639
Brazilian Real	429,492	-
Canadian Dollar	1,451,266	4,967,678
Czech Koruna	54,720	-
Danish Krone	172,104	134,352
Egyptian Pound	289,376	-
Euro	9,583,911	5,776,338
Hong Kong Dollar	7,809,047	4,288,200
Hungarian Forint	168,672	-
Indonesian Rupian	367,916	-
Israeli Shekel	37,027	-
Japanese Yen	4,089,370	9,987,282
Korean Won	1,828,519	-
Malaysian Ringgit	469,313	-
Mexican Peso	446,085	-
Moroccan Dirham	42,465	-
Norwegian Kroner	58,586	707,413
Pakistani Rupee	104,336	-
Philippine Peso	118,636	98,311
Polish Zloty	143,670	-
Singapore Dollar	979,775	1,255,537
South African Rand	806,384	-
Swedish Krona	111,502	522,228
Swiss Franc	2,239,214	474,350
Thai Baht	709,855	152,195
Turkish Lira	332,462	-
UK Pound	4,696,884	6,748,755
Total Foreign Common Stock	39,475,236	36,861,278
<b>Other - Equity Securities</b>		
Canadian Dollar	9	6
<b>Foreign Government and Provincial Obligations:</b>		
Australian Dollar	1,524,993	1,209,031
Brazilian Real	600,422	672,856
Canadian Dollar	978,682	1,285,155
Euro	3,714,726	6,873,475
Indonesian Rupian	353,440	361,667
Japanese Yen	609,682	4,820,250
Malaysian Ringgit	763,420	1,014,646
Mexican Peso	582,507	772,212
New Zealand Dollar	573,276	633,569
Norwegian Kroner	410,557	-
Polish Zloty	627,061	1,199,941
Singapore Dollar	-	322,436
South African Rand	228,550	656,315
Swedish Krona	825,265	390,773
UK Pound	917,882	1,857,085
Total Foreign Government and Provincial Obligations	12,710,463	22,069,411

**PERMANENT HEALTH FUND**  
**Notes to Financial Statements (cont.)**

<b>GEF Investment Type</b>	<b>Fund's Pro-Rata Share</b>	
	<b>August 31,</b>	
	<b>2009</b>	<b>2008</b>
<b>Corporate Obligations:</b>		
Australian Dollar	1,448,426	567,486
Canadian Dollar	453,215	350,601
Danish Krone	27,980	513,486
Euro	2,904,956	3,861,848
Hong Kong Dollar	68,335	70,178
Icelandic Krona	-	296,441
Japanese Yen	115,569	430,146
UK Pound	364,461	82,074
Total Corporate Obligations	<u>5,382,942</u>	<u>6,172,260</u>
<b>Other Debt Securities:</b>		
Hong Kong Dollar	-	201,289
<b>Purchased Options:</b>		
Euro	71,608	8,304
Indian Rupee	116,776	-
Swiss Franc	114,099	-
Total Purchased Options	<u>302,483</u>	<u>8,304</u>
<b>Private Investment Funds:</b>		
Canadian Dollar	137,418	-
Euro	16,995,239	21,232,098
UK Pound	109,898	154,043
Total Private Investment Funds	<u>17,242,555</u>	<u>21,386,141</u>
<b>Cash and Cash Equivalents:</b>		
Australian Dollar	54,028	46,252
Brazilian Real	10,561	-
Canadian Dollar	37,178	109,655
Czech Koruna	111	-
Danish Krone	(172,025)	24,505
Euro	(6,585,427)	146,191
Hong Kong Dollar	(301,029)	59,182
Hungarian Forint	7,508	-
Indonesian Rupian	1,831	-
Israeli Shekel	1,808	-
Japanese Yen	62,942	109,179
Korean Won	1,530	-
Malaysian Ringgit	1,807	-
Mexican Peso	623	654
Moroccan Dirham	2,212	-
New Zealand Dollar	13,473	8,466
Norwegian Kroner	30	1,219
Philippine Peso	549	-
Polish Zloty	5,837	21
Singapore Dollar	57	13,970
South African Rand	335	-
Swedish Krona	1,251	320
Swiss Franc	(2,394,580)	26,181
Taiwan Dollar	52	56
Thai Baht	346	-
Turkish Lira	9,642	-
UK Pound	(591,175)	83,565
Total Cash and Cash Equivalents	<u>(9,830,525)</u>	<u>629,416</u>
Total	<u>\$ 66,185,162</u>	<u>\$ 87,336,055</u>

**PERMANENT HEALTH FUND**  
*Notes to Financial Statements (cont.)*

**Note 5 – Securities Lending**

In accordance with the prudent investor investment standards, the GEF loans securities to certain brokers who pay the GEF negotiated lenders' fees. These fees are included in GEF investment income, and the related expenses are included in investment expenses. The GEF receives qualified securities and/or cash as collateral against the loaned securities. The collateral, when received, will have a market value of 102% of loaned securities of U.S. issuers and a market value of 105% for loaned securities of non-U.S. issuers. If the market value of the collateral held in connection with loans of securities of U.S. issuers is less than 100% at the close of trading on any business day, the borrower is required to deliver additional collateral by the close of the next business day to equal 102% of the market value. For non-U.S. issuers, the collateral should remain at 105% of the market value of the loaned securities at the close of any business day. If it falls below 105%, the borrower must deliver additional collateral by the close of the following business day. The Fund's pro-rata share of the value of GEF securities loaned and the value of collateral held are as follows at August 31, 2009 and 2008:

<b>GEF Securities on Loan</b>	<b>2009 Value</b>	<b>2008 Value</b>	<b>Type of Collateral</b>	<b>2009 Value of Collateral</b>	<b>2008 Value of Collateral</b>
U.S. Government	\$ 1,206,772	\$ 11,995,619	Cash	\$ 1,230,820	\$ 12,269,882
Foreign					
Government	51,089	599,903	Cash	52,728	636,043
Corporate Bonds	121,862	10,331	Cash	125,209	10,530
Common Stock	15,137,056	35,335,947	Cash	15,674,608	36,765,343
<b>Total</b>	<b>\$ 16,516,779</b>	<b>\$ 47,941,800</b>	<b>Total</b>	<b>\$ 17,083,365</b>	<b>\$ 49,681,798</b>
U.S. Government	\$ -	\$ 297,630	Non-Cash	\$ -	\$ 309,322
Common Stock	-	77,309	Non-Cash	-	80,346
<b>Total</b>	<b>\$ -</b>	<b>\$ 374,939</b>	<b>Total</b>	<b>\$ -</b>	<b>\$ 389,668</b>

Cash received as collateral for securities lending activities is invested and reinvested in a commingled pool managed exclusively for the benefit of the GEF, the PUF, the Intermediate Term Fund and other UT Board accounts that participate in securities lending activities. The pool is managed in accordance with investment guidelines established in the securities lending contract between the GEF and its securities lending agent. The maturities of the investments in the pool do not necessarily match the term of the loans, rather the pool is managed to maintain a maximum dollar weighted average maturity of 60 days and an overnight liquidity of 20%. Lending income is earned if the returns on those investments exceed the rebate paid to borrowers of the securities. The income remaining after the borrower rebates is then shared with the lending agent on a contractually negotiated split. If the investment of the cash collateral does not provide a return exceeding the rebate or if the investment incurs a loss of principal, the payment of the shortfall to the borrower would come from the GEF and the securities lending agent in the same proportion as the split of income.

## PERMANENT HEALTH FUND

### Notes to Financial Statements (cont.)

The Fund's pro-rata share of the GEF's portion of the collateral pool investments, rating by NRSRO, and weighted average maturity as of August 31, 2009 and 2008 is shown in the following table.

Description	August 31,					
	2009			2008		
	Fund's Pro-Rata Share Fair Value	Rating	Weighted Average Maturity In Days	Fund's Pro-Rata Share Fair Value	Rating	Weighted Average Maturity In Days
Repurchase Agreements	\$ 11,329,223	No Rating Available	1	\$ 22,549,516	No Rating Available	2
Commercial Paper	3,016,213	P	44	20,954,468	P	23
Floating Rate Notes	312,954	AAA		1,262,155	AAA	
Floating Rate Notes	1,105,603	AA		3,773,592	AA	
Total Floating Rate Notes	<u>1,418,557</u>		21	<u>5,035,747</u>		9
Fixed Rate Notes	-		-	418,912	AAA	13
Certificates of Deposit	1,342,210	P	68	1,130,626	P	36
Other Receivables/Payables	(22,838)	Not Rated	-	(407,470)	Not Rated	-
Total Collateral Pool Investment	<u>\$ 17,083,365</u>		16	<u>\$ 49,681,799</u>		13

Collateral pool investments are uninsured, and are held by the securities lending agent, in its name, on behalf of the GEF, except for the investments in repurchase agreements which are held in the securities lending agent's name by a third party custodian not affiliated with the GEF or the borrower of the associated loaned securities. Therefore, the collateral pool is not exposed to custodial credit risk because the pool investments are not held by counterparties to the lending transactions or a counterparties' trust department or agent.

Cash collateral is recorded as an asset with an equal and offsetting liability to return the collateral on the statements of fiduciary net assets. Pool investments are valued at amortized cost which is indicative of fair value. Investments received as collateral for securities lending activities are not recorded as assets because the investments remain under the control of the transferor, except in the event of default.

In the event of default, where the borrower is unable to return the securities loaned, the GEF has authorized the securities lending agent to seize the collateral held. The collateral is then used to replace the borrowed securities where possible. Due to some market conditions, it is possible that the original securities cannot be replaced. If the collateral is insufficient to replace the securities, the securities lending agent has indemnified the GEF from any loss due to borrower default.

As of August 31, 2009 and 2008, the GEF had no credit risk exposure to borrowers because the amounts the GEF owed to borrowers exceeded the amounts the borrowers owed the GEF.

There were no significant violations of legal or contractual provisions, no borrower or securities lending agent default losses, and no recoveries of prior period losses during the years ended August 31, 2009 and 2008.

## PERMANENT HEALTH FUND

*Notes to Financial Statements (cont.)*

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### **Note 6 – Fees and Expenses**

The Fund is assessed a management fee by UTIMCO to cover the costs of managing the Fund and providing day-to-day operations. The fee assessed for the year ended August 31, 2009, was \$910,209. The fee assessed for the year ended August 31, 2008, was \$905,220.

The Fund is assessed a fee to cover costs associated with UT System personnel in their effort to provide assistance to the UT Board and the Chancellor of the UT System in their oversight responsibilities of UTIMCO. For the years ended August 31, 2009 and 2008, the fees amounted to \$25,550 and \$24,297, respectively.

Accounting fees, in the amount of \$29,531 and \$27,481, were paid by the PHF during the years ended August 31, 2009 and 2008, respectively, for external and internal audit services.

The Fund incurs other expenses related to its operations primarily consisting of custodial fees and legal fees.



**PERMANENT HEALTH FUND**  
**Supplemental Schedule**

**Financial Highlights**  
*Years Ended August 31,*

	<u>2009</u>	<u>2008</u>	<u>2007</u>	<u>2006</u>	<u>2005</u>
<b>Selected Per Unit Data</b>					
Net Asset Value, Beginning of Year	\$ 1.251	\$ 1.342	\$ 1.204	\$ 1.129	\$ 0.993
Income From Investment Operations					
Net Investment Income (A)	0.011	0.019	0.023	0.022	0.023
Net Realized and Unrealized Gain (Loss) on Investments	<u>(0.182)</u>	<u>(0.059)</u>	<u>0.165</u>	<u>0.101</u>	<u>0.160</u>
Total Income (Loss) from Investment Operations	<u>(0.171)</u>	<u>(0.040)</u>	<u>0.188</u>	<u>0.123</u>	<u>0.183</u>
Less Distributions					
From Net Investment Income	0.011	0.019	0.023	0.022	0.023
From Net Realized Gain and In Excess of Net Realized Investment Return	<u>0.042</u>	<u>0.032</u>	<u>0.027</u>	<u>0.026</u>	<u>0.024</u>
Total Distributions	<u>0.053</u>	<u>0.051</u>	<u>0.050</u>	<u>0.048</u>	<u>0.047</u>
Net Asset Value, End of Year	<u>\$ 1.027</u>	<u>\$ 1.251</u>	<u>\$ 1.342</u>	<u>\$ 1.204</u>	<u>\$ 1.129</u>
<b>Ratios and Supplemental Data</b>					
Net Assets, End of Year (in thousands)	\$ 842,277	\$ 1,025,693	\$ 1,100,056	\$ 987,028	\$ 925,898
Ratio of Expenses to Average Net Assets	0.30%	0.27%	0.28%	0.39%	0.32%
Ratio of Net Investment Income to Average Net Assets	1.05%	1.40%	1.78%	1.88%	2.13%
Ratio of Distributions to Average Net Assets (5-quarter average)	5.18%	3.82%	3.86%	4.13%	4.39%
Ratio of Distributions to Average Net Assets (12-quarter average)	4.26%	3.90%	4.06%	4.36%	4.79%

(A) Net investment income is comprised of investment income (excluding the net decrease in investments) and investment expenses as presented on the statements of changes in fiduciary net assets.