

## **Benefit Trust Summary of Material Modification**

Date of Notification: **August, 2022**

To: All Benefit Plan Participants

Please note the following Plan changes which have taken effect **thus far in calendar year 2022 and since August of 2021**. To the extent there were other changes, you already received separate notification.

### **American Rescue Plan Act (“ARPA”) - Subsidy for COBRA continuation of coverage for the limited period of April 1, 2021 through September 30, 2021 (referred to as “ARPA COBRA”)**

#### **HRA**

The Plan rules prohibit you from using the balance in your HRA to pay your COBRA Continuation Coverage premiums. If you elect to continue coverage under COBRA, you forfeit the balance remaining in your HRA.

Limited Exception: Under ARPA, certain eligible individuals could receive a subsidy for COBRA continuation of coverage for the limited period of April 1, 2021 through September 30, 2021 and, in such case, that election would not by itself result in forfeiture of the HRA.

#### **Self-Pay**

Under the Plan’s self-payment rules, if you elect COBRA, this results in the forfeiture of your option to Self-Pay when your coverage as an Active Participant ends (referred to as the “Self-Pay Forfeiture Rule”).

Limited Exception: Under ARPA, certain eligible individuals could receive a subsidy for COBRA continuation of coverage for the limited period of April 1, 2021 through September 30, 2021 and, in such case, that election would not by itself result in the termination of the self-payment option under this Plan. The eligible person was given the option to self-pay for up to nine (9) months in total, subtracting any months that were self-paid immediately prior to taking the ARPA COBRA.

### **No Surprises Act Effective 2/1/2022**

Under the No Surprises Act, effective for this Plan on February 1, 2022, you are protected from charges in excess of in-network cost-sharing amounts (such as copayments and coinsurance) in the case of a Surprise Billing Situation which refers to:

- Non-Network Emergency Care;
- Non-Network air ambulance services; and
- Non-Network Non-Emergency Care at a Network Facility where there is no Notice and Consent.

**Effective for Disabilities on and after June 1, 2022**

**Article XI, Section A, Weekly Income Benefits (For Active Participants Only), is amended in part as follows:**

***When Benefits Begin***

Your disability date will be determined from the date you were first treated by your Physician and the Physician certifies that you are totally disabled. In no event will your disability date be earlier than the date of the Physician visit.

Weekly Income Benefits will begin the:

- First full day of disability due to an accident, illness or sickness.

Successive periods of disability separated by less than one week of active full-time work are considered one period of disability unless the later disability is due to an injury or sickness entirely unrelated to the earlier disability and begins after you return to work full time.

**Effective December 22, 2021 through the end of the COVID-19 Public Health Emergency**

Section 10.08 Prescription Drug Benefits – add the following new provision:

**COVID-19 Antiviral Therapy Program**

Effective December 22, 2021 through the end of the COVID-19 Public Health Emergency, the Plan, through its prescription benefit manager CVS Caremark, will process and reimburse COVID-19 oral antiviral drug claims, whether at an in-network or out-of-network pharmacy. The ingredient cost is paid for by the federal government; the dispensing fee is paid for by the Plan. This includes a \$10 dispensing fee to pharmacies, which replaces the normal network dispensing fee. Only oral antiviral therapies for COVID-19 that received Emergency Use Authorization from the FDA are covered. A quantity limit of one (1) course of therapy for each of the oral antiviral products within a 30-day window will be applied. An age limit will be applied as follows: 12+ for the Pfizer oral antiviral therapy and 18+ for the Merck oral antiviral therapy. Member cost-share will be set at \$0.00.

**Board of Trustees**

The Board of Trustees is currently comprised of the following individuals:

<b>Iron Workers Local Union No.</b>	<b>Union Trustees</b>	<b>Employer Trustees</b>
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44	David Baker	Mark Douglas
70	James Stiles	Mark Bishop
147	Jeff King	Robert Fruchey
172	Benton Amburgey, Jr.	Craig Wanner
290	Jeffrey S. Bush, Sr.	John Hesford
292	Robert Kara	Ronald Fisher
769	Russell Montgomery	Scott Massie
787	Bradley Winans	Clinton Suggs

Sincerely,

**BOARD OF TRUSTEES**

*This SMM is intended to provide you with an easy-to-understand description of certain changes to the Plan. This SMM, of course, cannot contain a full restatement of the terms and provisions of the Plan. If any conflict should arise between this SMM and the Plan, or if any provision or feature is not discussed in this SMM or is only partially discussed, then the terms of the Plan will govern in all such cases.*

*The Board of Trustees reserves the right to amend the Plan, or any benefits provided under the Plan, in whole or in part, at any time and for any reason, in accordance with applicable law, the amendment procedures established under the Plan, and the Trust Agreement.*

*The Board of Trustees (or its duly-authorized designee) has the exclusive right and power, in its sole and absolute discretion, to interpret the terms of the Plan and decide all matters arising under the Plan.*