

U.A Local 350 HEALTH, WELFARE & VACATION TRUST FUND

U.A. LOCAL 350 RETIREMENT FUND

*445 Apple Street * P.O. Box 11337 * Reno, Nevada 89510*

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January 15, 2021

TO: PARTICIPANTS & DEPENDENTS

RE: SUMMARY OF MATERIAL MODIFICATIONS (“SMM”)

In response to government regulations released regarding COVID-19 vaccinations and the FDA approval of certain COVID-19 vaccinations, this Participant Notice will advise you of recent temporary changes that have been made to the Summary Plan Description (“SPD”) and Rules and Regulations of the U.A. Local 350 Health, Welfare and Vacation Plan (“Plan”) during the period of the public health emergency period. **This information is VERY IMPORTANT to you and your dependents. Please take the time to read it carefully.** Please further note under a priority four-tier system developed by the State of Nevada based on federal guidance, the State of Nevada has begun administering the first doses only available to health care workers and to residents and staff in long-term facilities. In anticipation of these vaccinations, whenever it becomes available to you and your family based on State guidance, the Plan has amended its rules to prepare for the imminent administration of these vaccinations.

COVID-19 VACCINATION AND IMMUNIZATION COVERAGE (DURING PUBLIC HEALTH EMERGENCY PERIOD) –EFFECTIVE JANUARY 1, 2021

Added new Item C. to Subsection 3.33 of Article VIII. (Medical Benefits) to the Plan Document and SPD

Effective the earlier of January 1, 2021 or 15 business days after the date on which the United States Preventive Services Task Force (“USPSTF”) or the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention (“CDC”) makes an applicable recommendation relating to qualifying COVID-19 immunizations the Plan, through its medical providers and pharmacy benefit manager, throughout the duration of the COVID-19 public health emergency, will cover approved COVID-19 vaccinations and immunizations. **Once it becomes available to the public and subject to future government guidance, COVID-19 vaccinations will be available to all eligible participants and dependents at no cost whether received in-network and out-of-network and without prior authorization at a doctor’s office, medical facilities, governmental health facilities, including participating pharmacies through the Optum RX pharmacy benefit manager.**

Subject to further government guidance, the cost of the vaccine itself will be covered by the federal government but the cost of the administration of the shots will be covered by the Plan.

For network providers, reimbursement for administration of the shots will be based on the Plan’s schedule of allowance or contracted rate with such providers.

For non-network providers (subject to future government guidance), reimbursement for administration of the shots will be based on a reasonable rate such as: (a) an existing negotiated rate if there is one or (b) in the absence of a pre-existing negotiated rate, the cash price listed by the provider on the public internet website of such provider or the Medicare reimbursement rate.

Providers are prohibited from seeking reimbursement from participants and dependents for the vaccine itself including the vaccine administration costs whether as a cost-sharing or balance billing.

GRANDFATHERED HEALTH PLAN REMINDER

As a reminder, the Board of Trustees believes that the U.A. Local 350 Health, Welfare & Vacation Plan is a “grandfathered health plan” under the Affordable Care Act (“Act”). As permitted by the Affordable Care Act, a grandfathered health plan can preserve certain basic health coverage that was already in effect when that Act was enacted. Being a grandfathered health plan means that your Plan is not required to include certain consumer protections of the Act that apply to other plans, for example, requiring the provision of preventive health services without any cost sharing. Grandfathered health plans must comply, however, with certain other consumer protections in the Act, such as the elimination of annual and lifetime limits on Plan benefits.

Questions regarding which protections apply and which protections do not apply to a grandfathered health plan and what might cause a plan to change from grandfathered health plan status can be directed to the Plan Office at (775) 826-7200. You may also contact the Employee Benefits Security Administration, U.S. Department of Labor (DOL) at 1-866-444-3272 or www.dol.gov/ebsa/healthreform. This website has a table summarizing which protections do and do not apply to grandfathered health plans.

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Please keep this important notice with your Rules and Regulations/Summary Plan Description (SPD) for easy reference to all Plan provisions. If you have any questions, you may call the Administrative Office at (775) 826-7200 or Toll Free at (877) 826-5053.

IN ACCORDANCE WITH THE REQUIREMENTS OF THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974, AS AMENDED (“ERISA”), THIS DOCUMENT SERVES AS A SUMMARY OF MATERIAL MODIFICATIONS (“SMM”) TO THE PLAN AND SUPPLEMENTS THE RESTATED SUMMARY PLAN DESCRIPTION/PLAN DOCUMENT THAT HAS BEEN SEPARATELY PROVIDED TO YOU. YOU SHOULD RETAIN THIS DOCUMENT WITH YOUR COPY OF THE RESTATED SUMMARY PLAN DESCRIPTION/PLAN DOCUMENT.

Sincerely,
Board of Trustees