

U.A. Local 350 Health, Welfare, and Vacation Trust Funds

Street Address: 445 Apple Street, Suite 109, Reno, NV 89502

Telephone: (775) 826-7200

February 3, 2022

TO: Participants & Dependents

Re: Summary of Material Modifications for Over-the-Counter (OTC) At-Home COVID Tests

Dear Participant:

In response to the recent federal mandate, requiring group health plans and insurers to provide coverage for and/or reimbursement of over-the-counter (OTC) COVID-19 Home tests (without a prescription or doctor's note), the Board of Trustees is pleased to provide you with the following summary of changes to the self-funded Plan (through Optum RX the Pharmacy Benefit Manager). Please review the important change to the Plan's benefits described below.

U.A. Local 350 Health, Welfare, and Vacation Plan ("Plan") Participants including their dependents are now able to purchase over-the-counter (OTC) at-home COVID-19 tests, at little or no cost to you. Beginning January 15, 2022, the Plan will cover FDA-authorized including COVID-19 tests that received FDA authorization for emergency use, OTC At-home COVID-19 diagnostic tests purchased on or after January 15, 2022, without a doctor's prescription. By having the Plan pay for your test kits, you are agreeing that the kits are for personal use and will not be used for employment or distribution purposes.

PLAN AMENDMENT – Article III, Section 3.35, Item 1.

(Coverage of At-Home COVID-19 Testing Kits Without Doctor's Note-Effective for purchases on or after January 15, 2022)

Coverage of Over-the-Counter ("OTC") COVID-19 Tests. Effective for purchases on or after January 15, 2022 and during the public health emergency period, the Plan's self-insured coverage through the Pharmacy Benefit Manager (currently Optum RX) will provide coverage for, including reimbursement of, all OTC tests (also known as at-home tests or self-tests): (a) approved, cleared or authorized by the FDA, (b) test that received FDA authorization for emergency use, (c) state authorized test and state has notified the Dept. of HHS, and (d) other tests that the Secretary of HHS determined appropriate in guidance during the public health emergency period, to detect the SARS-COV-2 (the virus that causes coronavirus disease 2019) or the diagnosis of COVID-19, purchased through pharmacies, retail stores and online retailers, without any cost-sharing, prior authorization or medical management requirements and without a prescription or involvement of a health care provider.

Pursuant to federal guidance, the Plan or Insurers are permitted to make the following limitations (if applicable) under the Safe Harbors provided under FAQ Part 51:

- (a) **Cost Limits (Through Pharmacy Network or Direct Coverage).** The Plan (through its Pharmacy Benefit Manager) or Insurer is permitted to limit reimbursement from a non-preferred pharmacy or other retailers to no less than the actual price of the test or \$12 per test (whichever is lower) if the Plan (through its Pharmacy Benefit Manager) or Insurer provides direct coverage (meaning the participant does not pay an upfront cost and instead the Plan or its contracted entity pays the preferred pharmacy or retailer directly) of OTC COVID-19 tests through a preferred pharmacy network or other retailers, including direct-to-consumer shipping programs. Please note the Plan currently has an arrangement with Optum-RX to provide coverage of these OTC COVID-19 testing kits. As such, if you purchase an At-Home testing kit from an outside retailer (ex. Amazon), your reimbursement will be limited to the actual price of the test or \$12 per test (whichever is less).

- (b) **Quantity Test limit.** The Plan or Insurer is permitted to limit OTC COVID-19 tests without a prescription or provider involvement, to no less than 8 tests per covered individual (ex. Participant, Dependent Spouse, Dependent Children) per 30-day period (or calendar month). The Plan or Insurer are permitted to set more generous limits although not mandated.

To address suspected fraud or abuse the Plan or Insurer are permitted to require reasonable documentation of proof of purchase with a claim for reimbursement for the cost of the OTC COVID-19 test or require a self-attestation.

Please further note medically necessary COVID-19 tests received with a doctor's order or individual clinical assessment will continue to be covered at 100% no cost-sharing to you and your eligible dependents and will not be subject to any quantity limits. This new program only applies to COVID-19 tests received without a doctor's note.

How To Get OTC COVID-19 Home Tests Through Optum-RX (Pharmacy Benefit Network)

1. **Optum Store Online Direct Coverage.** OTC COVID-19 tests kits are available to Participants at \$0 out-of-pocket cost (meaning you pay no upfront costs) through the Optum Online store.
 - ➔ The number of covered OTC tests are limited to 8 tests per participant (or beneficiary) every calendar month. That means covered members can get up to 8 individual tests per month (e.g., a family of 4 would be eligible for 32 tests a month).
 - ➔ You can order at-home COVID-19 tests online with \$0 copay through the **Optum Store**. Sign-in to [Store.Optumrx.com](https://store.optumrx.com) and go to "**Get at-home COVID-19 tests with \$0 copay.**" Click the order now link Smartphone users will need to scroll down to find the link. You will receive free shipping on orders over \$45. TO meet this threshold, members will qualify for free standard shipping if you buy at least 2 boxes of COVID-19 test kits (4 total tests).
2. **Out-of-Network Tests.** In the event your local pharmacy charges for the OTC test or you purchase an OTC test outside of the pharmacy network or at other stores or online retailers, you can be reimbursed if you submit a claim form for reimbursement.
 - ➔ OTC COVID-19 tests purchased at non-preferred pharmacies or retailers will be reimbursed up to the lesser of \$12 or the actual price.
 - ➔ The number of covered OTC tests are limited to 8 tests per participant (or beneficiary) every calendar month. That means covered members can get up to 8 individual tests per month (e.g., a family of 4 would be eligible for 32 tests a month).
 - ➔ There are two ways to submit your claim for reimbursement:
 - a. **Submit Your Claim Online.** Keep your purchase receipt(s) to submit your reimbursement. Your Plan will reimburse up to \$12 per test. Click on the link to start your online request form at the following: <https://covidtest.optumrx.com/covid-test-reimbursement>.
 - OR
 - b. **Mail in Your Claim Form.** You can also print a **form** and then mail it in. But, please note you will receive reimbursement more quickly if you submit an online claim form. The mail in form is available at the following link for print out: <https://www.optumrx.com/content/dam/rxmember/landing-page/pdfs/covid-19-test-kit-reimbursement-form.pdf>

The following OTC COVID-19 test kits are FDA-authorized and set up to process at an OptumRx participating pharmacy. The list will be updated on a regular basis as new products receive EUA clearance.

- BinaxNow Antigen COVID-19 test
- Carestart COVID-19 Antigen Home Test
- On/Go COVID-19 Antigen Self-Test
- Ellume COVID-19 home test
- IHealth COVID-19 Antigen Rapid Test
- Inteliswab COVID-19 Rapid Test
- QuickVue At-home COVID-19 Test

IMPORTANT: Please do not submit or mail your OTC COVID-19 testing reimbursement claims to the Trust Fund Office. Instead, file the claim directly through Optum RX via the website above or mail it to OptumRx.

Have questions. Call OptumRx prescription customer service at 1-800-248-1062 or visit optumrx.com/testinfo for the latest updates and information.

Separate Federal-Government Provided COVID-19 Tests (Shipped to Your Home)

Also, every home in the U.S. is eligible to order 4 free at-home COVID-19 tests through the Federal Government. Orders will usually ship in 7-12 days. Visit <https://www.covidtests.gov/> to order your free tests. The kits provided by the government are at no cost to the Plan.

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 THAT HAS BEEN SEPARATELY PROVIDED TO YOU. YOU SHOULD RETAIN THIS DOCUMENT WITH YOUR COPY OF THE RESTATED SUMMARY PLAN DESCRIPTION.

Sincerely,

U.A. Local 350 Health, Welfare, and Vacation Trust Funds

Board of Trustees