

HEAVY AND GENERAL LABORERS' FUNDS OF NEW JERSEY

Local 472 . Local 172

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IMPORTANT NOTICE

This is an important notice describes important benefit changes that are being made to the Heavy and General Laborers' Local Union 472 and Local Union 172 of New Jersey Welfare Fund.

Please take the time to read this Notice carefully, and keep it with your copy of the Heavy and General Laborers' Local Union 472 and Local Union 172 of New Jersey Welfare Fund's January 1, 2016 Summary Plan Description ("SPD").

ADDITION OF COVERAGE FOR ABA THERAPY

The Trustees are pleased to announce that, as of January 1, 2022, they improved your Plan benefits by adding coverage for ABA therapy to the Plan under the terms described below.

On and after January 1, 2022, the Plan covers ABA therapy as medically necessary. Coverage for ABA therapy is subject to the general terms and conditions of the Plan and is provided In-Network only to Class 1 and Class 2 participants and both In-Network and Out-of-Network (up to the Plan's Allowed Amount) for Class 3, Class 4 and Class 5 participants. Additionally, the usual cost-sharing provisions applicable to each benefits class will apply to ABA therapy benefits

As a result of this benefit improvement, effective January 1, 2022, your SPD reflects the following changes:

- The benefits column as found on pg. 44 and 53 of the SPD is deleted and replaced with the following;

Plan Feature
<i>Physical Rehabilitation. Physical Therapy and Occupational Therapy (not covered simultaneously with chiropractic treatment and/or acupuncture), Speech Therapy, and Pulmonary and Cardiac Rehabilitation</i>
❖ Plan covers short-term active, progressive occupational, physical or speech therapy that is performed by licensed or duly qualified (licensed) therapists as ordered by a physician

- The following exclusion in the General Exclusions section found on pg. 68 of the SPD is removed in its entirety:

“G. Expenses for **Applied Behavioral Analysis (ABA) Therapy** (as defined in the Definitions section of this document) and related services.

- The following exclusion in the General Exclusions section found on pg. 63 of the SPD is removed in its entirety:

“H. Charges for counseling or psychotherapy in connection with developmental delay or learning disabilities.”

- The definition of ABA Therapy in the Glossary section on pg. 133 of the SPD is deleted and replaced with the following;

“Applied Behavior Analysis (ABA) Therapy: The design, implementation, and evaluation of environmental modifications to attempt to produce socially significant improvement in human behavior. ABA includes the use of direct observation, measurement, and functional analysis of the relationship between the environment and behavior. ABA strives to improve speech and social interaction skills and reduce disruptive behavior and includes instruction in a range of skills including speech, motor and socialization.”

If you have any questions regarding the information in this Notice, please contact the Fund Office.

Notice of Grandfathered Health Plan Status

The Heavy and General Laborers’ Local Union 472 and Local Union 172 of New Jersey Welfare Fund believes this is a “grandfathered health plan” under the Patient Protection and Affordable Care Act (the Affordable Care 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 law was enacted. Being a grandfathered health plan means that your plan may not include certain consumer protections of the Affordable Care Act that apply to other plans, for example, the requirement for the provision of preventive health services without any cost sharing. However, grandfathered health plans must comply with certain other consumer protections in the Affordable Care Act, for example, the elimination of lifetime limits on 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 administrator at (973) 589-5050. You may also contact the Employee Benefits Security Administration, U.S. Department of Labor 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.

This Notice is intended to provide you with an easy-to-understand description of certain important changes, updates and clarifications to the Fund’s plan of benefits and rules. While every effort has been made to make this description as complete and accurate as possible, this Notice, of course, cannot contain a full restatement of the terms and provisions of the plan. For a full description of your rights under the Fund, please refer to the plan documents (including the SPD).

The Board of Trustees reserves the right, in its sole and absolute discretion, to amend, modify or terminate the Fund, or any benefits provided under the Fund, in whole or in part, at any time and for any reason, in accordance with the amendment procedures established under the plan and the trust agreement establishing the plan. The formal plan documents and trust agreement are available at the Fund Office and may be inspected by you during normal business hours. No individual other than the Board of Trustees (or its duly authorized designee) has any authority to interpret the plan documents, make any promises to you about benefits under the plan, or to change any provision of the plan. Only 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.