

**AMENDMENT NUMBER SEVEN
TO THE OPERATING ENGINEERS LOCAL 139 HEALTH BENEFIT FUND
SUMMARY PLAN DESCRIPTION/PLAN DOCUMENT, 2020 EDITION**

In order to implement Section 9501 of the American Rescue Plan Act of 2021 (“ARP”), as it applies to premium assistance for Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), the Operating Engineers Local 139 Health Benefit Fund has adopted the following amendment to the Summary Plan Description/Plan Document, 2020 Edition (“Plan”).

Notwithstanding SPD pages 23-27 requiring you to elect either participation in the Fund’s self-payment program or COBRA coverage within 60 days of loss of eligibility, the following provisions shall apply to any participant that received a COBRA election notice on or after November 1, 2019:

- you will receive notices from the Fund Office providing you a new opportunity to elect COBRA coverage and to apply for COBRA premium assistance (“ARP Notices”);
- even if you previously elected to participate in the Fund’s self-payment program or even if you previously did not respond to the COBRA election notice, you will receive the ARP Notices and be given the opportunity to now elect COBRA coverage and apply for COBRA premium assistance;
- you must respond to the ARP Notices within 60 days after they are provided to elect COBRA coverage and obtain COBRA premium assistance;
- you must meet the eligibility requirements set forth in the ARP to obtain COBRA premium assistance, which will be detailed in the ARP Notices; and
- if you are currently enrolled in the Fund’s self-payment program, and now elect COBRA coverage and premium assistance under the ARP, you will be given the opportunity to re-enroll in the Fund’s self-payment program at the end of the ARP COBRA premium assistance period, which is currently set to expire on September 30, 2021.

This Amendment Number Seven is effective April 1, 2021. This Amendment Number Seven shall automatically expire on the later of September 30, 2021 or the date on which ARP COBRA premium assistance expires.

Union Trustees


05/13/2021
Dated

Employer Trustees


05/13/2021
Dated