

OPERATING ENGINEERS LOCAL 139

HEALTH BENEFIT FUND

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SUMMARY OF MATERIAL MODIFICATIONS

Date: April 2020

To: Active and Retired Plan Participants and Their Eligible Dependents Enrolled in the Operating Engineers Local 139 Health Benefit Fund

From: The Board of Trustees

The Trustees of the Operating Engineers Local 139 Health Benefit Fund (the “Fund”) recognize that these are trying times as the country copes with the COVID-19 (novel 2019 coronavirus) health crisis. As information continues to unfold about the coronavirus, be assured that you can count on your Plan to provide the support and benefits that you and your family need. This Summary of Material Modifications (SMM) provides details about the Plan’s coverage for COVID-19 diagnostic testing and associated provider visits, and announces the temporary expansion of coverage for telehealth visits. Please read this SMM in its entirety to make sure you understand your enhanced health care coverage.

NO DEDUCTIBLE, COPAYS OR COINSURANCE FOR COVID-19 DIAGNOSTIC TESTING AND ASSOCIATED PROVIDER VISITS

If you’re showing symptoms of the coronavirus or believe you have been exposed to it, we encourage you to take appropriate action. The Fund will cover diagnostic testing (including nasal swabs) for the novel 2019 coronavirus and / or COVID-19 at 100% (meaning, without any cost sharing). In-network and out-of-network office visits (including telehealth visits, as discussed below), urgent care visits, emergency room visits and other laboratory or radiology services associated with such coronavirus and / or COVID-19 diagnostic testing are also covered by the Fund at 100%, as are items or services provided during those provider visits to the extent that they relate to the furnishing or administration of the diagnostic test or the evaluation of whether you need the test. The Plan will provide the above items and services throughout the duration of the public health emergency declared by the U.S. Department of Health and Human Services.

EXPANDED COVERAGE FOR TELEHEALTH SERVICES

In light of the restricted in-person access to medical and mental health treatment related to the COVID-19 health crisis, the Fund is expanding its coverage of telehealth services. Starting March 1, 2020 telehealth services for medically necessary treatment from Anthem network providers will be covered at the same benefit level as in-person treatments. These telehealth services generally are subject to the Fund’s standard terms on deductibles and coinsurance unless the service is related to the COVID-19 items and services described above.

Medicare retirees should check with their providers to see if telehealth services are being offered. Similar to other plan benefits, if Medicare covers the telehealth service, the Fund will cover it as well.

Please note that there is no coverage for telehealth services received from out-of-network providers, except when such coverage is associated with diagnostic testing for the novel 2019 coronavirus and / or COVID-19. Also note that this new telehealth benefit, like other Fund benefits, may be modified or eliminated in the

future. For example, it may be eliminated when the COVID-19 public health emergency ends, as declared by the U.S. Department of Health and Human Services.

STATEMENT OF THE PLAN'S GRANDFATHERED STATUS

The Operating Engineers Local 139 Health Benefit Fund believes this Plan 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, such as 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, such as 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 (262) 549-9190 or (800) 242-7018. You may also contact the Employee Benefits Security Administration, U.S. Department of Labor at (866) 444-3272 or via <http://www.dol.gov/ebsa/healthreform/>. This website has a table summarizing which protections do and do not apply to grandfathered health plans.

FINAL NOTE

Please share this SMM with your family members and store it with your Summary Plan Description (SPD)/Plan Document booklet for easy reference.

Stay informed to stay healthy. As news and advice related to COVID-19 continues to evolve, we will send updates to answer questions you may have about your health care coverage. Note that your best source for the latest information about COVID-19 is the [website](#) of the Centers for Disease Control and Prevention (CDC).

If you have any questions regarding this SMM or your Plan benefits, do not hesitate to contact the Fund Office at (262) 549-9190 or (800) 242-7018.

This Summary of Material Modifications provides only highlights of recent changes to the Operating Engineers Local 139 Health Benefit Fund. Full details are contained in the documents that establish the Plan provisions. If there is a discrepancy between the wording here and the documents that establish the Plan, the document language will govern. The Trustees reserve the right to amend, modify or terminate the Plan at any time.