

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

The Operating Engineers Local 139 Health Benefit Fund has adopted the following changes to the Summary Plan Description/Plan Document, 2026 Edition effective January 1, 2026.

1. Paragraphs 1-3 of Amendment Number One are withdrawn.
2. To clarify the long-standing interpretation of existing plan language, amend paragraph 18 of the **Comprehensive Medical Benefit Exclusions And Limitations** section on page 48, to add a subsection f. as follows:

f. Off-Label Use of medication, as defined on page 92.

3. To clarify the long-standing interpretation of existing plan language, add paragraph 35 to the **Comprehensive Medical Benefit Exclusions And Limitations** section on page 48 as follows:

35. Off-Label Use of medication, as defined on page 92.

4. To clarify the long-standing interpretation of existing plan language, the Glossary definition of **Experimental** and **Investigational** on page 90 is amended to add a fifth bullet point at the end of the definition that reads:

- Off-Label Use of medication, as defined on page 92.

5. Insert the following definition in the Glossary on page 92 in alphabetical order:

**Off-Label Use** means medication prescribed for a use that is not an FDA-approved treatment for the patient's diagnosis or condition. The Fund, in its sole discretion, may approve off-label medication use if all of the following criteria are met:

- there are no FDA approved treatments available;
- the prescribed treatment is a medication with FDA approval for commercial use for other conditions;
- your treating physician prescribes a medication for your condition that in her/his professional judgment is safe and effective and there is a reasonable expectation that it will improve the patient's medical condition and prognosis; and
- the use is considered standard of care for the patient's condition that is strongly supported in reputable medical compendia as effective and accepted treatment for the off-label condition. Reputable medical compendia includes, but is not limited to, FDA.gov and NCCN.org.

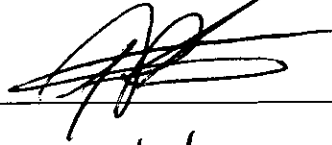
**Union Trustees**



5/5/76

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5/5/2026

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