



Summary of Material Modifications Midwest Operating Engineers Welfare Fund April 2023

TO ALL ELIGIBLE: Active Members and Retirees

This Summary of Material Modifications (SMM) advises you of changes to the information contained in your Midwest Operating Engineers Welfare Fund Summary Plan Description (SPD) and correlating Welfare Fund Plan document, as well as, the Midwest Operating Engineers Retiree Welfare Plan SPD and correlating RWP Plan document. **Please read this notice in its entirety and share this information with your eligible spouse and covered dependents.**

President Biden signed H.R. Res. 7 on April 10, 2023, to end the COVID-19 National Emergency (NE). Although the NE ended on April 10, 2023, the Department of Labor (DOL) has announced that the Outbreak Period will continue to run through July 9, 2023. All administrative and timely filing deadlines will return to the pre-pandemic rules effective on and after July 10, 2023. In addition, the end of the Public Health Emergency (PHE) will end on May 11, 2023.

With the PHE ending on May 11, 2023, what changes will be made to the Midwest Operating Engineers Welfare Fund and the Retiree Welfare Plan?

As a result of the PHE ending on May 11, 2023, the following changes to the Midwest Operating Engineers Welfare Fund and the Retiree Welfare Plan will become **effective on and after May 12, 2023:**

- COVID-19 related provider visits, diagnostic testing, treatment (including prescription drug therapies) will be covered subject to the patient's health plan option deductible or co-insurance/co-payments.
- FDA approved COVID-19 vaccines will continue to be covered at no cost when received by an in-network provider or at an in-network pharmacy. Refer to your health plan's Schedule of Benefits for out-of-network coverage.
- Over the counter (OTC) FDA approved at-home COVID-19 tests will no longer be covered.
- Telehealth coverage, which was expanded during COVID-19, will remain in place, and continue to be a Covered Service, subject to the patient's health plan option deductible or co-insurance/co-payment.

Attention eligible Medicare retirees/covered dependents of the Retiree Welfare Plan: Please be mindful that your primary medical coverage is Medicare and prescription drug coverage is through the RWP Medicare PDP. Therefore, Centers for Medicare and Medicaid Services will dictate your primary coverage regarding COVID-19. Visit [cms.gov](https://www.cms.gov) for COVID-19 updates.

What is meant by “the administrative deadlines will return to the prepandemic rules”?

At the onset of COVID-19, the DOL and the IRS issued a joint rule to allow for the extension of certain timeframes for group health Plans, participants, and beneficiaries affected by the COVID-19 outbreak. This rule paused several deadlines starting March 1, 2020 through the end of the “outbreak period” defined as 60 days following the end of the National Emergency.

Now that President Biden announced the end to the National Emergency, all the administrative deadlines will be reinstated to the prepandemic rules **effective on and after July 10, 2023**. Administrative deadlines that will return to prepandemic rules will include the following:

COBRA Continuation of Coverage

- 60-day election period
- 45-day initial premium payment deadline
- 60-day period for individuals to provide notice of a qualifying event to the employer, or notice of a disability determination
- 14-day period for plans to provide election notices to qualified beneficiaries

Health and Disability Claims

- One-year from the date of service for claim filing deadlines
- 180-day period for participants to appeal claim denials
- Deadlines for requesting external review and related timeframes

Life Changing Events

- 90-day period following a life changing event (marriage/divorce, adoption, death, losing/gaining coverage; except for birth of a child or receipt of disabled dependents forms)

If you have any questions regarding this Summary of Material Modifications, please contact Member Services at (708) 579-6600.

The Board of Trustees

The Midwest Operating Engineers Welfare Fund
The Midwest Operating Engineers Retiree Welfare Plan

This announcement, which serves as a Summary of Material Modifications, contains only highlights of recent changes to the Midwest Operating Engineers Welfare Fund and the Retiree Welfare Plan. 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 each Plan, the document language will govern. The Trustees reserve the right to amend, modify, or terminate each Plan at any time.