

# Mahoning & Trumbull County Building Trades Insurance Fund

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## SUMMARY OF MATERIAL MODIFICATIONS FOR THE SUMMARY PLAN DESCRIPTION OF THE MAHONING & TRUMBULL COUNTY BUILDING TRADES INSURANCE FUND

The Trustees have made *changes* that will affect various provisions of the Plan. This "Summary of Material Modifications" explains these changes and should be kept with your Summary Plan Description (SPD).

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### WEEKLY INDEMNITY BENEFIT

Effective for all eligible claims incurred on and after November 1, 2009 the weekly benefit is \$400.00.

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### HOURLY BANK

The following language is being added to the Hour Bank provision on page 10 of the SPD:

Active Fund Participants shall be permitted to donate bank hours to another Fund Participant in order to help that Participant maintain coverage in the Plan. Any Participant donating such hours shall execute a written authorization providing for the transfer of the hours with an express waiver of any right under any circumstances to reclaim the hours. Furthermore, should the Participant wishing to donate the hours be married, the written authorization for transfer must include the spouse's signature agreeing to such transfer of hours.

This hour bank donation provision shall be in effect from December 1, 2009 through November 30, 2010 at which time it will be re-evaluated by the Trustees to determine if the provision shall continue for any future period of time.

Please contact the Fund Office for an Authorization Form.

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The following provision is added to comply with the Genetic Information Nondiscrimination Act of 2008 (GINA) Public Law 110-28:

Effective October 1, 2009, the fund shall not adjust its contribution amounts for its Participants on the basis of genetic information.

The Fund shall not request or require an individual Participant or family member to undergo a genetic test provided, however this prohibition shall not limit the Plan from adjusting the employer's contributions based on the manifested disease of an individual covered under the policy. However the Plan will not use the manifested disease to further increase the employer's contributions since, it also constitutes genetic information about family members covered under the Plan.

The Plan shall not request or require a Participant or family member to undergo a genetic test. Provided that such prohibition does not: (1) limit the authority of a health care professional to request an individual to undergo a genetic test; or (2) preclude the Plan from obtaining or using the results of a genetic test to make a determination regarding payment. The Plan shall request only the minimum amount of information necessary to accomplish the intended purpose.

The Plan is prohibited from requesting, requiring, or purchasing genetic information: (1) for underwriting purposes; or (2) with respect to any individual prior to such individual's enrollment in connection with such enrollment.

\* \* \*

The following special enrollment provision is added to the Eligibility requirements to comply with the Children's Health Insurance Program Reauthorization Act:

Effective April 1, 2009, if you, your spouse or other Dependent had medical coverage under Medicaid or a State child health insurance plan (a "CHIP" plan) but lose eligibility for that Medicaid or CHIP coverage and request coverage under the Plan within 60 days after such coverage terminates; or

If you, your spouse or other Dependent becomes eligible for state CHIP assistance or coverage under Medicaid and request coverage under the Plan within 60 days after you or your Dependent are determined to be eligible for such assistance.

\* \* \*

Please keep this information with your Summary Plan Description. Also, if you have any questions regarding these changes, please contact the Fund Office.

BOARD OF TRUSTEES  
MAHONING & TRUMBULL COUNTY  
BUILDING TRADES INSURANCE FUND

December 14, 2009