



## CHICAGO & VICINITY LABORERS' DISTRICT COUNCIL HEALTH & WELFARE PLAN

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### Important Notice of COVID-19 Vaccine Coverage under Active Plan 1

March 2021

Dear Participant:

The Board of Trustees of the Chicago & Vicinity Laborers' District Council Health & Welfare Plan (the "Plan") is pleased to announce coverage of COVID-19 vaccines under Active Plan 1 as follows, effective for eligible claims incurred on or after January 1, 2021:

1. Active Plan 1 will cover a Qualifying Coronavirus Preventive Service (as defined below) received from an **in-network provider** at 100%, without participant cost sharing (such as a copayment, coinsurance, or a deductible), prior authorization, or other medical management requirements.
2. For eligible claims incurred through the end of the COVID-19 Public Health Emergency (as declared by the Secretary of Health and Human Services), Active Plan 1 will cover a Qualifying Coronavirus Preventive Service received from a **non-network provider**—specifically, Active Plan 1 will reimburse a non-network provider for the service in an amount that Active Plan 1 determines is reasonable, as determined in comparison to prevailing market rates for such services. A reasonable amount shall include the amount that the provider would be paid under Medicare for the item or service. This reimbursement will be provided by Active Plan 1 without participant cost sharing (such as a copayment, coinsurance, or a deductible), prior authorization, or other medical management requirements.

**Qualifying Coronavirus Preventive Service:** Qualifying Coronavirus Preventive Service means an immunization that is intended to prevent or mitigate coronavirus disease (COVID-19) and that is, with respect to the individual involved:

- An evidence-based item or service that has in effect a rating of A or B in the current recommendations of the United States Preventive Services Task Force, or
- An immunization that has in effect a recommendation from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention (CDC), which has been adopted by the Director of the CDC. This provision is in effect regardless of whether the immunization is recommended for routine use.

### EMPLOYER PARTICIPANTS –

Builders' Association, Employing Plasterers' Association, Underground Contractors' Association, Mason Contractors' Association, Concrete Contractors' Association, Wrecking Contractors, Concrete Products Employers, Lake County Illinois Employers, Illinois Road Builders Association, Bridge and Highway Structural Builders; i.e. all those who employ Laborers Engaged in the Building and Construction Industry.

When an immunization first qualifies as a Qualifying Coronavirus Preventive Service, Active Plan 1 will have at least 15 business days before coverage of such immunization as a Qualifying Coronavirus Preventive Service will be effective. The Pfizer/BioNTech, Moderna, and the Johnson & Johnson vaccines currently meet the definition of Qualifying Coronavirus Preventive Service.

## Questions?

If you have questions about your benefits, please contact the Fund Office at (708) 562-0200 or (866) 906-0200 from 8:00 am to 5:00 pm, Monday through Friday.

## Final Note

Please share this Notice with your family members who are eligible for coverage and keep it with your summary plan description for Active Plan 1, which also serves as the Active Plan 1 plan document (2020 Edition) ("SPD/Plan"), and other benefits information for easy reference. The Addendum that follows contains the section by section technical conforming revisions to the SPD/Plan for the changes described above. Capitalized terms used but not defined in this Notice have the meaning as set forth in the SPD/Plan.

Sincerely,

*Board of Trustees*

## ADDENDUM

**Conforming Changes to the SPD/Plan:** The following conforming changes are made to the section references contained in the Active Plan 1 SPD/Plan, effective for eligible claims incurred on or after January 1, 2021:

1. In the section entitled "Medical Covered Expenses", a new bullet is added to the end of such section, on page 23 of the SPD/Plan, to read as follows:
  - *COVID-19 Vaccines.* Coverage includes Qualifying Coronavirus Preventive Services from a Network Provider at 100%. Coverage also includes, for the duration of the COVID-10 Public Health Emergency, Qualifying Coronavirus Preventive Service from a Non-Network Provider in an amount that the Plan determines is reasonable, as determined in comparison to prevailing market rates for such services. A reasonable amount shall include the amount that the provider would be paid under Medicare for the item or service.
2. In the section entitled "Covered Expenses", the fourth bullet, on page 35 of the SPD/Plan, is amended to read as follows:
  - Immunization agents, blood, or blood plasma. Coverage includes Qualifying Coronavirus Preventive Service at a Network Provider at 100%.

For the duration of the COVID-19 Public Health Emergency, the Plan will also reimburse a Non-Network Provider for a Qualifying Coronavirus Preventive Service in an amount that the Plan determines is reasonable, as determined in comparison to prevailing market rates for such services.

A reasonable amount shall include the amount that the provider would be paid under Medicare for the item or service.

3. In the section entitled “Definitions”, two new terms are added in alphabetical order, on pages 87 and 91 of the SPD/Plan, respectively, as follows:

<p>COVID-19 Public Health Emergency</p>	<p>The emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)), as determined by the Secretary of Health and Human Services pursuant to authority under Section 319 of the Public Health Service Act (42 U.S.C. 247(d)). The Public Health Emergency was initially declared as of January 27, 2020, and has been extended thereafter.</p>
<p>Qualifying Coronavirus Preventive Service</p>	<p>An immunization that is intended to prevent or mitigate coronavirus disease (COVID-19) and that is, with respect to the individual involved:</p> <ul style="list-style-type: none"> <li>• An evidence-based item or service that has in effect a rating of A or B in the current recommendations of the United States Preventive Services Task Force, or</li> <li>• An immunization that has in effect a recommendation from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention (CDC), which has been adopted by the Director of the CDC. This provision is in effect regardless of whether the immunization is recommended for routine use.</li> </ul> <p>When an immunization first qualifies as a Qualifying Coronavirus Preventive Service, the Plan will have at least 15 business days before coverage of such immunization as a Qualifying Coronavirus Preventive Service will be effective.</p>

\* \* \* \*

**Statement of the Plan’s Grandfathered Status.** The Board of Trustees of the Chicago & Vicinity Laborers’ District Council Health & Welfare Fund believes this Plan is a “grandfathered health plan” under the Patient Protection and Affordable Care Act (the Affordable Care Act), which means that the Plan existed when the health care reform law was signed on March 23, 2010.

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 the Plan may not include certain consumer protections of the Affordable Care Act that apply to other plans, for example, 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, for example, the elimination of lifetime limits on benefits. Questions regarding which protections apply and 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 Fund Office at (708) 562-0200 or 866-906-0200. You may also contact the Employee Benefits Security Administration, U.S. Department of Labor at (866) 444-3272 or <http://www.dol.gov/ebsa/healthreform/>. This website has a table summarizing which protections do and do not apply to grandfathered health plans.

The information contained in this Notice only highlights certain features of the Chicago & Vicinity Laborers’ District Council Health & Welfare Plan (the “Plan”) and is intended to be a Summary of Material Modifications to the SPD/Plan. The Board of Trustees of the Plan (“Trustees”) reserves the right and has the authority to amend, modify, or eliminate benefits at any time, or terminate the Plan when financial conditions dictate. Receipt of this Notice does not confer or guarantee eligibility for benefits. In addition, the Trustees, or such other persons as delegated by the Trustees, have the discretion to interpret and construe the Plan’s provisions, as set forth in the SPD/Plan.

#### SUMMARY OF MATERIAL MODIFICATIONS

EIN: 36-2151212

Plan No.: 501

March 2021