



Service Employees 32BJ North Health Benefit Fund

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SERVICE EMPLOYEES 32BJ NORTH HEALTH FUND SUMMARY OF MATERIAL MODIFICATIONS

PLAN NAME: 32BJ North Health Benefit Fund, Program B

DATE: February 24, 2010

This Summary of Material Modifications (SMM) supplements or modifies the information presented in your Summary Plan Description (SPD) dated January 1, 2009 with respect to the Plan. **Please keep this document with your copy of the SPD for future reference.**

Modifications:

Implementation of Michelle's Law: Page 9: Effective January 1, 2010 the following language is added to the end of the fourth bullet point under the definition of "Children (except disabled children)":

If a dependent child, who is enrolled in Fund coverage under this section is on a medically necessary leave of absence from post-secondary school because of a serious injury or illness, coverage under this Plan will be extended, free of charge to the dependent during his/her leave of absence until the earlier of (i) the one-year anniversary of the date on which his/her leave of absence began, or (ii) the date on which the dependent child's coverage under the Plan would otherwise terminate. To be eligible for this extended coverage, the participant must provide the Fund with written certification from the dependent child's treating physician that his/her leave of absence from school is medically necessary and is as a result of a serious illness or injury. The extended coverage commences on the date such certification is received by the Fund, but will be retroactive to the date on which his/her leave of absence began. Extended coverage under this section is concurrent with, and not in addition to, coverage under COBRA (see page 80). This means that if the dependent child receives one-year of extended coverage under this section and, after the expiration of this one-year period, he/she is not eligible for active Fund coverage (e.g., he/she did not return to school, has attained age 23 or has gotten married), the child can elect to continue coverage under COBRA, but only for a maximum of 24 months.

Modification to FMLA Leave Types Page 45: Effective October 28, 2009 qualifying exigency leave and military care giver leave are not limited to family members on active duty or called to active duty.

Change of Vendor Name Page 24: Medco By Mail has changed its name to Medco Pharmacy.

Clarification in Coordination of Benefits Language Page 39: The following language is added after the first paragraph: Your Plan uses the Non-Duplication of Benefits application of COB. This means that when this Plan is the secondary plan, it determines how much, if any, it would have paid had it been the primary plan and then subtracts whatever the primary plan paid as its benefit. This Plan will pay that difference, if any. If there is no difference, this Plan will not pay any benefits.

Clarification in Section titled General Information; subsection How Benefits May Be Reduced, Delayed or Lost Page 52: A fourth bullet is added:

- Cash checks within eighteen (18) months of issue date. The amounts of such un-cashed checks will be restored to the Fund assets and added to Net assets available for benefits on the Fund financial statement.

Elimination of Pre-certification for Air Ambulance in Emergency Situations Page 61, footnote 5 is replaced with the following: Air ambulance is covered, without pre-certification, when the patient's medical condition is such that the time needed to transport by land poses a threat to the patient's survival or seriously endangers the patient's health or the patient's location is such that accessibility is only feasible by air transportation; and patient is transported to the nearest hospital with appropriate facilities for treatment; and there is a medical condition that is life threatening. Life threatening medical conditions include, but are not limited to, the following:

- Intracranial bleeding
- Cardiogenic shock
- Major burns requiring immediate treatment in a Burn Center
- Conditions requiring immediate treatment in a Hyperbaric Oxygen Unit
- Multiple severe injuries
- Transplants
- Limb-threatening trauma
- High risk pregnancy
- Acute myocardial infarction; if this would enable the patient to receive a more timely medically necessary intervention (such as PTCA or fibrinolytic therapy)

Pre-certification of air ambulance is still required in non-emergency situations.

If you have any questions about this notice or want further information about the changes please contact Member Services at 1-212-388-3333 between the hours of 8:30AM and 5:00PM Monday through Friday.

The SPD is the official Plan document and controls the actual payment of benefits and the administration of this Plan. This SMM highlights the changes adopted by the Board of Trustees and does not replace the SPD.