



North Atlantic States Carpenters  
Health Benefits Fund

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May 2023

## SUMMARY MATERIAL MODIFICATION

Dear Plan Participant:

On behalf of the North Atlantic States Carpenters Benefits Fund, you are receiving this notice to inform you of changes to your Health Benefits Plan made by the Board of Trustees.

### Eligibility Requirement - Union Membership

Effective August 1, 2023, Participants must be a Member in good standing of a Local Union affiliated with the United Brotherhood of Carpenters to be eligible for coverage under the Plan. Participants who are not members in good standing of the Union but work under a Participation Agreement are exempt from this rule (including, but not limited to, Benefit Fund office employees, employees of the North Atlantic States Regional Council of Carpenters or affiliated Local Unions, and employees of the North Atlantic States Carpenters Training Fund). This rule applies to both initial eligibility as well as continuing eligibility requirements.

Participants of Local 279, 290, 291 and 1163, with hours-based eligibility, who are not members in good standing will have their eligibility for coverage under the Plan suspended effective the first day of the month following the month in which they are not a member in good standing with the Local Union. Participants whose coverage is suspended under this rule who later re-establish their membership in good standing will again be eligible for coverage under the Plan, retroactive to the first day of the insured period during which good standing in the Local Union is re-established, and assuming the Participant is otherwise eligible for coverage by meeting the continuing eligibility requirements of the Plan.

Participants who lose eligibility will not be permitted to use their Supplemental HRA balance for the payment of premiums or reimbursement of claims incurred while coverage is suspended, including paying for COBRA premiums.

Examples:

- A Participant is not in good standing with a Local Union on August 1, 2023. The Participant will lose coverage under the Plan effective September 1, 2023. If the Participant re-establishes their Union membership in good standing in December 2023, the Participant's coverage is restored effective October 1, 2023, the first day of the insured period during which the Participant's Union membership in good standing is re-established, provided the Participant has met the eligibility requirements for coverage on October 1, 2023.
- A Participant is not in good standing with a Local Union on June 1, 2024. The Participant will lose coverage under the Plan effective July 1, 2024. If the Participant re-establishes their Union membership in good standing in August 2024, the Participant's coverage is restored effective June 1, 2024, the first day of the insured period during which the

Participant's Union membership in good standing is re-established, provided the Participant has met the eligibility requirements for coverage on June 1, 2024.

Participants covered under the HRA Plan (Local 276, 277, 291, 1163 and 51) who lose eligibility will not be permitted to use their HRA balance for the payment of premiums or reimbursement of claims incurred while coverage is suspended, including paying for COBRA premiums.

Participants covered under the HRA Plan whose coverage is suspended under this rule who later have their Local Union membership reinstated will again be eligible under the Plan as soon as administratively feasible, so long their HRA balance covers the required premium and Plan eligibility requirements are met. Participants will be able to use their HRA balances for the payment of monthly premiums and reimbursements of claims incurred after their eligibility has been reinstated.

### **Eligibility Requirement – Contributions and Availability for Work**

Effective August 1, 2023, Participants of Local 279, 290, 291 and 1163, with hours-based eligibility who have not worked for a contributing employer for **four (4) consecutive months** will not be eligible for coverage and will have their coverage under the Plan suspended. Once work is resumed for a contributing employer, the suspension is lifted, and coverage is reinstated retroactive to the date of suspension, assuming the Participant is otherwise eligible. Coverage under this rule will not be suspended prior to October 1, 2023.

Effective August 1, 2023, Participants who are not available to work for a contributing employer will not be eligible for coverage and will have their coverage under the Plan suspended, unless he or she is retired, disabled due to illness or injury (New York State disability or Worker's Compensation, or on Family Medical Leave, including Paid Family Medical Leave). Once the Participant is available for work, the suspension is lifted, and coverage is reinstated retroactive to the date of suspension, assuming the Participant is otherwise eligible.

Participants covered under the HRA Plan (Local 276, 277, 291, 1163 and 51) who do not have contributions made on their behalf for **four (4) consecutive months** or are not available for work for a contributing employer will not be eligible to use their HRA balance for the payment of premiums or for reimbursement of claims incurred while coverage is suspended, including paying for COBRA premiums. Once the Participant is available for work or has contributions received on their behalf the suspension is lifted as soon as administratively feasible assuming the Participant is otherwise eligible. Participants will be able to use their HRA balance for the payment of premiums and reimbursements of claims incurred after their eligibility has been reinstated. HRA accounts will still be available to Dependents and Surviving Spouses following the death of a Participant.

### **Reminder – Disqualifying Employment**

As a reminder, if you work in Disqualifying Employment, your benefits will be suspended. Disqualifying Employment means any employment or self-employment before age 65 for a non-contributing employer in an industry covered by the Plan and in the geographic area covered by the Plan. For more information about suspended coverage for work in Disqualifying Employment, please refer to your Summary Plan Description (SPD).

## **At-Home COVID-19 Test Kits**

As of May 11, 2023, the COVID-19 national public health emergency ended. Effective May 12, 2023, eligible Participants will still have access to at-home, over the counter COVID-19 test kits, however the Fund will no longer pay 100% of the cost, and cost-sharing (deductibles, co-payments, and/or coinsurance) will apply.

## **COBRA Continuation Coverage**

With the end of the COVID-19 national public health emergency on May 11, 2023, the extension of COBRA continuation coverage deadlines will end on July 10, 2023, the end of the Outbreak Period. If you experienced a qualifying event within the past year, but did not elect COBRA, please contact the Fund Office if you wish to do so. If you elected COBRA within the past year, but did not submit required payments, please contact the Fund Office if you wish to do so.

The normal time periods for COBRA elections and premium payments will resume as of the end of the Outbreak Period. Those time periods are described below:

### Electing COBRA Continuation Coverage:

Effective July 10, 2023, Participants who experience a qualifying event will have **sixty (60) days** from the date of the receiving the COBRA notice to elect COBRA continuation coverage.

### Paying COBRA premiums:

Effective July 10, 2023, Participants who elect COBRA continuation coverage will have **forty-five (45) days** from the date they elect COBRA continuation coverage to make the initial premium payment. Subsequent payments are due on the first day of each month, subject to a thirty (30)-day grace period.

### Notifying the Fund Office of a Qualifying Event:

Effective July 10, 2023, Participants must notify the Fund Office if the Participant or covered dependent experiences a qualifying event within **sixty (60) days** of the qualifying event.

### ***Example 1 (COBRA Election – Qualifying Event during Outbreak Period)***

Assume Nathan has a qualifying event and loses coverage under the Plan on May 15, 2023, and is provided a COBRA notice on May 18, 2023. Because the qualifying event occurred after the end of the COVID-19 national public health emergency but before the end of the Outbreak Period, Nathan has until September 8, 2023 to elect COBRA continuation coverage (sixty (60) days after the end of the Outbreak Period).

### ***Example 2 (COBRA Election – Qualifying Event after end of Outbreak Period)***

Assume Joe has a qualifying event and loses coverage under the Plan on July 15, 2023, and is provided a COBRA notice on July 18, 2023. Because the qualifying event occurred after the end of the COVID-19 national public health emergency and after the end of the Outbreak Period, Joe has until September 16, 2023 (sixty (60) days from the date of the COBRA notice) to elect COBRA continuation coverage.

***Example 3 (First COBRA Payment – COBRA Election made before end of Outbreak Period)***

Assume Mary has a qualifying event and loses coverage under the Plan as of October 1, 2022. Mary receives a COBRA notice on October 15, 2022 and elects COBRA continuation coverage retroactive to October 1, 2022. Because Mary elected COBRA continuation coverage before the end of the Outbreak Period, Mary has forty-five (45) days after the end of the Outbreak Period, until August 24, 2023, to make the initial COBRA premium payment. The initial payment would include the monthly premium payments for October 2022 through July 2023. The premium payment for August must be paid by August 30, 2024 (the last day of the thirty (30)-day grace period) for the August 2023 premium payment. Subsequent monthly COBRA premium payments are due on the first day of each month, subject to a thirty (30)-day grace period.

***Example 4 (First COBRA Payment – COBRA Election made after end of Outbreak Period)***

Assume Bob has a qualifying event and loses coverage under the Plan as of July 15, 2023. Bob receives a COBRA notice on July 30, 2023, and elects COBRA continuation coverage retroactive to July 15, 2023. Because Bob elected COBRA continuation coverage after the end of the Outbreak Period, Bob has forty-five (45) days from the date of his COBRA election, until September 13, 2023, to make the first COBRA premium payment. Subsequent monthly COBRA premium payments are due on the first day of each month, subject to a thirty (30)-day grace period.

This is a Summary of Material Modifications regarding the above-named plan ("Plan"). This Summary of Material Modifications supplements the Summary Plan Description ("SPD") previously provided to you. You should retain this document with your copy of the SPD. If you have any questions concerning this notice or any other matter, please contact the Long Island Fund Office at 1-877-372-3236, the South Central Fund Office at 1-866-727-0281 or the Buffalo Fund Office at 1-877-739-7136.

Sincerely,

**Board of Trustees**