



OE3 Trust Funds

Health. Security. Service.

Operating Engineers Trust Funds
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(800) 251-5014 • OE3trustfunds.org

Date: November 12, 2020

To: All Participants and their Dependents, including COBRA beneficiaries, of Operating Engineers Health and Welfare Trust Fund for Utah

From: Board of Trustees

This Participant Notice will advise you of material modifications and other updates to the Operating Engineers Health and Welfare Trust Fund for Utah (the “Plan”). **This information is VERY IMPORTANT to you and your dependents.** Please take the time to read it carefully.

GENE THERAPY CLARIFICATION

This notice is to confirm that the Plan does not cover gene therapy or services to treat any complications resulting from gene therapy. Gene therapy seeks to modify or introduce genes into a patient’s body with the goal of treating, preventing or potentially curing a disease. Illustrative examples of gene therapy include Chimeric Antigen Receptor T-Cell (CAR-T) Therapies such as Kymriah and Yescarta, as well as Luxturna and Zolgensma, but new applications for gene therapies are submitted every year.

Because this Plan is a “grandfathered health plan,” we are providing the following notice to you:

This group health plan believes this plan is a “grandfathered health plan” under the Patient Protection and Affordable Care Act (the Affordable Care Act). 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.

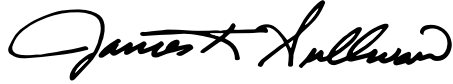
Being a grandfathered health plan means that your plan may not include certain consumer protections of the Affordable Care Act that apply to other plans, for example, the requirement for the provision of preventive health services without any cost sharing. However, grandfathered health plans must comply 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 which protections 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 Trust Fund Office at 510-433-4422 or Toll Free at 800-251-5014. You may also contact the Employee Benefits Security Administration, U.S. Department of Labor at 1-866-444-3272 or www.dol.gov/agencies/ebsa/. This website has a table summarizing which protections do and do not apply to grandfathered health plans.

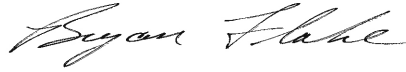
If you have any questions, please contact the Trust Fund Office at the numbers listed above. You may also call the Fringe Benefits office at (800) 532-2105.

Sincerely,

Board of Trustees
Operating Engineers Health and Welfare Trust Fund of Utah



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Receipt of this notice does not constitute a determination of your eligibility. If you wish to verify eligibility, or if you have any questions regarding the Plan changes, please contact the Trust Fund Office.

*In accordance with ERISA reporting requirements this document serves as your
Summary of Material Modifications to the Plan*