

IMPORTANT NOTICE TO PARTICIPANTS

November 15, 2009

To All Employees and Dependents:

Extended Coverage for Full-Time Students While on a Medically Necessary Leave of Absence

Effective January 1, 2010, the Plan is amended to comply with Michelle's Law. The intent of this law is to allow seriously ill college students, who are covered dependents under health plans, to continue coverage for up to one year while on a medically necessary leave of absence. The law was inspired by, and named after, a college student in New Hampshire who was diagnosed with cancer but continued her studies on a full-time basis in order to avoid losing health coverage under her parents' plan.

The extension of coverage applies to a dependent child's medically necessary leave of absence from (or any other change in enrollment at) a postsecondary educational institution, including colleges and universities, due to a serious injury or sickness from which the child is suffering that otherwise would cause the child to lose dependent status under the Plan as a full-time student under the following provisions to the extent required by law.

The extension of coverage will continue until the earlier of:

- (1) one year after the first day of the medically necessary leave of absence; or
- (2) the date on which coverage otherwise would terminate under the terms of the Plan.

The child must be enrolled as a dependent under the Plan and qualify for coverage on the basis of being a full-time student at a postsecondary educational institution immediately before the first day of the medically necessary leave of absence. A medically necessary leave of absence means a leave of absence of such child from a postsecondary educational institution (including an institution of higher education as defined in section 102 of the Higher Education Act of 1965), or any other change in enrollment of such child at such an institution, that:

- (1) commences while such child is suffering from a serious injury or sickness;
- (2) is medically necessary; and
- (3) causes such child to lose student status as a full-time student for purposes of coverage under the terms of the Plan.

(over)

Written certification must be provided by the dependent child's treating physician certifying that the dependent child is suffering from a serious injury or sickness and that the leave of absence (or other change in enrollment) is medically necessary. You must provide this certification to the Fund Office as soon as possible, preferably within 30 days of the date that the leave of absence begins. Plan coverage commences on the date such certification is received, but will be retroactive to the date on which the medically necessary leave of absence began.

The dependent child is entitled to the same level of benefits during a medically necessary leave of absence as if he had full-time student status at the postsecondary educational institution and was not on a medically necessary leave of absence. In addition, any changes that are made to the Plan during the leave will apply to the child on a medically necessary leave of absence the same as for any other dependent children under the Plan.

Any time the Plan sends out a notice regarding a requirement for certification of student status for coverage under the Plan, we will include a description in understandable language to a typical Plan participant of the terms for continued Plan coverage during a medically necessary leave of absence.

Please keep this Notice with your Summary Plan Description (SPD) booklet for future reference. If you have any questions, please contact the Fund Office.

Yours very truly,

THE BOARD OF TRUSTEES