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## **IMPORTANT NOTICE FOR PLAN PARTICIPANTS**

Dear Participants:

The Biden Administration (the “Administration”) recently announced its intention to end the Public Health Emergency period related to COVID-19 on May 11, 2023. Accordingly, the Board of Trustees of the International Union of Operating Engineers Local 399 Health and Welfare Fund (“Welfare Fund”) have made the following changes to the plan of benefits.

### **COVID-19 Diagnostic Testing**

The Fund has been providing coverage for COVID-19 diagnostic testing, including services and supplies related to the furnishing or administration of the test during health care provider visits, urgent care center visits and emergency room visits, without any cost-sharing for the duration of the Public Health Emergency.

Effective May 12, 2023, the Fund will no longer provide coverage for COVID-19 diagnostic testing without any cost-sharing. The Fund will, however, provide coverage for COVID-19 diagnostic testing in accordance with the Plan’s normal cost-sharing requirements for “diagnostic services” under the Major Medical Benefit.

Any COVID-19 testing that is not for diagnostic purposes (including but not necessarily limited to testing that is required for work or travel purposes) will not be covered.

### **Over-the-Counter COVID-19 Testing**

The Fund has been providing coverage for over-the-counter (“OTC”) COVID-19 diagnostic testing without any cost-sharing for the duration of the Public Health Emergency.

Effective May 12, 2023, the Fund will no longer provide coverage for OTC COVID-19 tests.

### **COVID-19 Vaccinations**

The Fund has been providing coverage for COVID-19 vaccinations without any cost-sharing for the duration of the Public Health Emergency.

Effective May 12, 2023, the Plan will provide coverage for COVID-19 vaccinations under the normal cost-sharing provisions of the Plan under the Major Medical Benefit.

### **Covered Vaccinations and Prescription Drug Benefit**

Effective May 12, 2023, the Plan will provide coverage for certain vaccinations under the Prescription Drug Benefit. Covered vaccinations include any immunizations recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control (“CDC”) when provided by a registered licensed pharmacist. This includes the COVID-19 vaccination.

This means the Plan will pay 90% for any covered vaccinations (as described above) that you receive from a participating retail pharmacy. If you receive a covered vaccination (as described above) from a non-participating retail pharmacy, the Plan will pay 70%.

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

### **Required Notice: Notice Regarding Grandfathered Status**

The Trustees of the IUOE Local 399 Health and Welfare Plan have determined that the 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 to cover 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 Local 399 Health and Welfare Plan, 2260 S. Grove Street, Chicago, IL 60616-1823, telephone (312) 372-9870, fax (312) 842-0291. You may also contact the Employee Benefits Security Administration, U.S. Department of Labor, at 1(866) 444-3272 or [www.dol.gov/ebsa/healthreform](http://www.dol.gov/ebsa/healthreform). This website has a table summarizing which protections do and do not apply to grandfathered health plans.