

**SUMMARY OF MATERIAL MODIFICATION FOR THE
RAILROAD MAINTENANCE AND INDUSTRIAL HEALTH AND WELFARE FUND**

To: Participants and Beneficiaries

From: Board of Trustees

Re: Plan Changes to Plan D and Plan E

This document is a Summary of Material Modification (“SMM”) intended to notify you of important plan changes to the plan of benefits for the Railroad Maintenance and Industrial Health and Welfare Fund (“Fund” or “Plan”) under both Plan D and Plan E. This summary is intended to satisfy the requirements for issuance of a SMM under the Employee Retirement Income Security Act of 1974, as amended. You should take the time to read this SMM carefully and keep it with the Summary Plan Description (“SPD”). This SMM does not contain a full restatement of the terms of the SPD. If you have any questions regarding these changes, please contact the Fund Office at (800) 258-6534.

CHANGES TO MAJOR MEDICAL BENEFITS

Effective October 18, 2022, the Board of Trustees added applied behavior analysis (ABA) therapy for autism spectrum disorder (ASD) to its list of Covered Expenses. Thus, ABA therapy is now covered when medically necessary.

Effective October 18, 2022, the Board of Trustees added Speech Therapy and Occupational Therapy for Mental Illnesses or Nervous Disorders (as defined in the current *Diagnostic and Statistical Manual of Mental Disorders* published by the American Psychiatric Association). Please note, certain exclusions for Speech Therapy and Occupational Therapy still apply, such as exclusions for behavioral problems and developmental problems which do not stem from a mental illness/nervous disorder.

As a reminder, benefits are paid in accordance with the terms and conditions in your SPD for the Necessary Treatment of Injuries, Sickness, and Mental Illness or Nervous Disorders.

CHANGES TO EXCLUSIONS AND LIMITATIONS

Effective October 18, 2022, the Board of Trustees amended Exclusion 28, which excluded loss due to an intentionally self-inflicted injury. The Fund will not deny health and welfare coverage for intentionally self-inflicted injuries if such injuries were the result of a medical condition, including a mental illness or nervous disorder. Other self-inflicted injuries that are not the result of a medical condition, including a mental illness or nervous disorder, will not be covered.

Effective October 18, 2022, the Board of Trustees modified Exclusion 29 to note that such exclusion, which applies in part to learning disabilities and behavioral problems, does not apply to services incurred for the Necessary Treatment of a Mental Illness or Nervous Disorder.

REMINDER: Telehealth benefits are available for Mental Illness or Nervous Disorders, and also for substance abuse disorders. Telehealth benefits are available 24 hours a day. You can find the web address and phone number for telehealth benefits on the reverse side of your United HealthCare ID card.

As always, you are encouraged to contact the Fund Office at (800) 258-6534 with any questions you may have.

Best regards,

Your Board of Trustees

**AMENDMENT TO THE RAILROAD MAINTENANCE AND INDUSTRIAL
HEALTH AND WELFARE FUND SUMMARY PLAN DESCRIPTION
PLAN D**

WHEREAS, the Board of Trustees of the Railroad Maintenance and Industrial Health and Welfare Fund (“Fund”) may amend the Summary Plan Description (“SPD”), Plan D; and

WHEREAS, the Trustees, upon review of the SPD-Plan D, have determined that said SPD should be amended.

NOW, THEREFORE, be it resolved that the SPD-Plan D is hereby amended as follows:

1. Effective October 18, 2022, the section entitled “**Important Information About the Plan**” of the SPD-Plan D shall be amended by adding the following language after the “Termination of Plan” subsection:

MHPAEA Compliance Statement

This Plan is designed to be fully compliant with the parity requirements set forth under the Mental Health Parity and Addiction Equity Act (“MHPAEA”). Accordingly, all of the Plan’s Mental Illness or Nervous Disorder and substance abuse (“MH/SUD”) benefits, operational review, and appeal components are designed to be in full parity across each respective benefit classification under which Medical-Surgical (“Med-Surg”) benefits are provided for under the Plan.

2. Effective October 18, 2022, paragraph 28 from the **Exclusions and Limitations section** of the SPD-Plan D shall be amended to read as follows:

28. Any loss due to an intentionally self-inflicted injury, unless the self-inflicted injury is the result of a medical condition, including a mental illness or nervous disorder;

The remainder of this section will be renumbered appropriately to reflect the removal of this exclusion.

3. Effective October 18, 2022, the SPD-Plan D is amended by adding the following paragraph to the **Covered Expenses** subsection under the **Major Medical Benefits**:

23. Applied behavior analysis (ABA) therapy for autism spectrum disorder, so long as such treatment is Necessary Treatment.

4. Effective October 18, 2022, the SPD-Plan D is amended by adding the following language to the **Definitions** section, after the definition of *Life Threatening Emergency* and before the definition of *Necessary Treatment*:

Mental Illness or Nervous Disorder means those illnesses classified as disorders in the current *Diagnostic and Statistical Manual of Mental Disorders* published by the American Psychiatric Association.

5. Effective October 18, 2022, the SPD-Plan D definition of *Hospital* in the **Definitions** section shall be amended to read as follows:

Hospital means an establishment which:

1. Is licensed to provide inpatient care with 24 hour nursing and Physician services;
2. Provides facilities for diagnosis and surgery; and
3. Is not primarily a clinic, nursing, rest or skilled nursing home.

Hospital also includes a licensed ambulatory surgical center.

6. Effective October 18, 2022, paragraph 29 of the SPD-Plan D **Exclusions and Limitations** section shall be amended to read as follows:

29. Services that are of the nature of stress management, family planning, marital counseling, social counseling, educational or vocational testing or training and the treatment of learning disabilities, behavioral problems and behavioral modification therapy, biofeedback and other forms of self-care or self-help training, unless such services are incurred for the Necessary Treatment of a Mental Illness or Nervous Disorder

7. Effective October 18, 2022, the SPD-Plan D **Speech Therapy** subsection under **Major Medical Benefits** shall be amended to read as follows:

Speech Therapy

The Plan provides benefits for speech therapy and requires that treatment be recommended by a Physician/surgeon and performed by a licensed speech therapist to restore speech loss or correct an impairment which was due to:

1. A congenital defect for which corrective surgery has been performed; or
2. An accidental Injury or Sickness; or

3. Mental Illness or Nervous Disorder.

Speech therapy expenses will not be covered for:

1. Behavioral problems, developmental speech problems or in connection with or treatment of remedial reading, special education, self-care/self-help training, or supplies used in connection with such treatment. Notwithstanding the foregoing, speech therapy expenses that constitute Necessary Treatment will be covered for Mental Illnesses or Nervous Disorders;
2. Therapy provided by a therapist who is the claimant or a relative of the claimant to the following degree: parent, spouse of parent, spouse, child, spouse of child, or parent or child of spouse; or
3. Services available through the school system in the state of residence **will not** be covered by the Plan.

8. Effective October 18, 2022, the SPD-Plan D **Occupational Therapy** subsection under **Major Medical Benefits** shall be amended to read as follows:

Occupational Therapy

The Plan provides benefits for occupational therapy and requires that treatment be recommended by a Physician/surgeon and performed by a licensed occupational therapist. The treatment must be designed to improve or restore the patient's functional level when loss of function is due to an illness, injury, or Mental Illness or Nervous Disorder.

Occupational therapy expenses will not be covered for:

1. Behavioral problems, developmental speech problems or in connection with or treatment of remedial reading, special education, self-care/self-help training, or supplies used in connection with such treatment. Notwithstanding the foregoing, occupational therapy expenses that constitute Necessary Treatment will be covered for Mental Illnesses or Nervous Disorders;
2. Therapy provided by a therapist who is the claimant or a relative of the claimant to the following degree: parent, spouse of parent, spouse, child, spouse of child, or parent or child of spouse; or
3. Services available through the school system in the state of residence **will not** be covered by the Plan.

9. Effective April 20, 2020, the SPD-Plan D is amended by adding the following language to the **Major Medical Benefits** section before the **Chiropractic Coverage** subsection:

Telehealth Benefits

Any visits or consultations with your primary care provider, a specialist, or any other covered health care provider via the internet or via telephone will be covered as though they were in-person visits. This includes visits for Mental Illness or Nervous Disorders and substance abuse. This benefit will be provided for both routine visits and urgent visits.

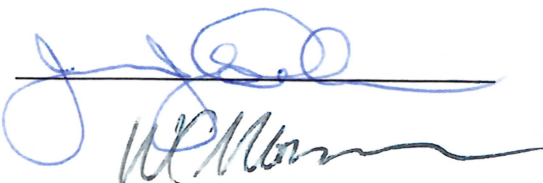
10. Effective October 18, 2022, paragraph 10 of the SPD-Plan D **Ineligible Expenses** subsection of the **Supplemental Family Medical Benefit** section shall be amended to read as follows:

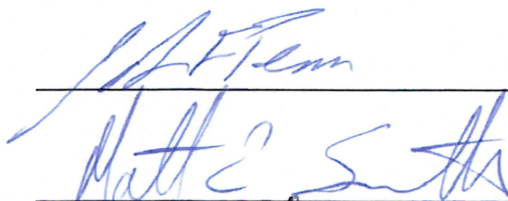
10. Expenses incurred for the treatment of an eligible Dependent child's behavioral problems not otherwise covered by the Plan, unless such expenses are incurred for the Necessary Treatment of a Mental Illness or Nervous Disorder;

IN WITNESS WHEREOF, the Trustees have caused this instrument to be executed on this 18 day of October, 2023.

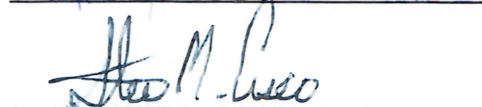
MANAGEMENT TRUSTEES

LABOR TRUSTEES









**AMENDMENT TO THE RAILROAD MAINTENANCE AND INDUSTRIAL
HEALTH AND WELFARE FUND SUMMARY PLAN DESCRIPTION
PLAN E**

WHEREAS, the Board of Trustees of the Railroad Maintenance and Industrial Health and Welfare Fund (“Fund”) may amend the Summary Plan Description (“SPD”), Plan E; and

WHEREAS, the Trustees, upon review of the SPD-Plan E, have determined that said SPD should be amended.

NOW, THEREFORE, be it resolved that the SPD-Plan E is hereby amended as follows:

1. Effective October 18, 2022, the section entitled “**Important Information About the Plan**” of the SPD-Plan E shall be amended by adding the following language after the “Termination of Plan” subsection:

MHPAEA Compliance Statement

This Plan is designed to be fully compliant with the parity requirements set forth under the Mental Health Parity and Addiction Equity Act (“MHPAEA”). Accordingly, all of the Plan’s Mental Illness or Nervous Disorder and substance abuse (“MH/SUD”) benefits, operational review, and appeal components are designed to be in full parity across each respective benefit classification under which Medical-Surgical (“Med-Surg”) benefits are provided for under the Plan.

2. Effective October 18, 2022, paragraph 28 from the **Exclusions and Limitations** section of the SPD-Plan E shall be amended to read as follows:

28. Any loss due to an intentionally self-inflicted injury, unless the self-inflicted injury is the result of a medical condition, including a mental illness or nervous disorder;

The remainder of this section will be renumbered appropriately to reflect the removal of this exclusion.

3. Effective October 18, 2022, the SPD-Plan E is amended by adding the following paragraph to the **Covered Expenses** subsection under **Major Medical Benefits**:

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Mental Illness or Nervous Disorder means those illnesses classified as disorders in the current *Diagnostic and Statistical Manual of Mental Disorders* published by the American Psychiatric Association.

5. Effective October 18, 2022, the SPD-Plan E definition of *Hospital* in the **Definitions** section shall be amended to read as follows:

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1. Is licensed to provide inpatient care with 24 hour nursing and Physician services;
2. Provides facilities for diagnosis and surgery; and
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7. Effective October 18, 2022, the SPD-Plan E **Speech Therapy** subsection under **Major Medical Benefits** shall be amended to read as follows:

Speech Therapy

The Plan provides benefits for speech therapy and requires that treatment be recommended by a Physician/surgeon and performed by a licensed speech therapist to restore speech loss or correct an impairment which was due to:

1. A congenital defect for which corrective surgery has been performed; or
2. An accidental Injury or Sickness; or

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Speech therapy expenses will not be covered for:

1. Behavioral problems, developmental speech problems or in connection with or treatment of remedial reading, special education, self-care/self-help training, or supplies used in connection with such treatment. Notwithstanding the foregoing, speech therapy expenses that constitute Necessary Treatment will be covered for Mental Illnesses or Nervous Disorders;
2. Therapy provided by a therapist who is the claimant or a relative of the claimant to the following degree: parent, spouse of parent, spouse, child, spouse of child, or parent or child of spouse; or
3. Services available through the school system in the state of residence **will not** be covered by the Plan.

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10. Effective October 18, 2022, paragraph 10 of the SPD-Plan E **Ineligible Expenses** subsection of the **Supplemental Family Medical Benefit** section shall be amended to read as follows:

- 10. Expenses incurred for the treatment of an eligible Dependent child's behavioral problems not otherwise covered by the Plan, unless such expenses are incurred for the Necessary Treatment of a Mental Illness or Nervous Disorder;

IN WITNESS WHEREOF, the Trustees have caused this instrument to be executed on this 18 day of October, 2022.

MANAGEMENT TRUSTEES

LABOR TRUSTEES

