

**AMENDMENT NO. 1**  
**TO THE EIGHTH DISTRICT ELECTRICAL BENEFIT FUND**  
**SUMMARY PLAN DESCRIPTION /PLAN RULES AND REGULATIONS**  
**For Active Employees, Early (non-Medicare-eligible) Retirees and Medicare-eligible Retirees**  
**effective January 1, 2014**

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Effective June 1, 2014 the Summary Plan Description/Plan Rules and Regulations is amended as follows:

Article XV, Coordination of Benefits, Section 3 is amended to add the text in italics and delete the text in strike-through:

**Section 3: WHICH PLAN PAYS FIRST: ORDER OF BENEFIT DETERMINATION RULES**

**The Overriding Rules**

1. Group plans determine the sequence in which they pay benefits, or which plan pays first, by applying a uniform set of order of benefit determination rules that are applied in the specific sequence outlined below. This Plan ~~uses~~ *does not follow*, the order of benefit determination rules established by the National Association of Insurance Commissioners (NAIC) and which are commonly used by insured and self-insured plans. **Any group plan that does not ~~use these same rules~~ follow the same Coordination of Benefits (COB) rules as this Plan or does not have COB rules** always pays its benefits first.

***This Plan does not coordinate with an individual health insurance plan/policy.***

2. When two group plans cover the same person, the following order of benefit determination rules establish which plan is the primary plan that pays first and which is the secondary plan that pays second. If the first of the following rules does not establish a sequence or order of benefits, the next rule is applied, and so on, until an order of benefits is established. ~~These rules~~ *The COB rules for this Plan* are:

**Rule 1: Non-Dependent or Dependent**

- A. The plan that covers a person as an employee, retiree, member or subscriber (that is, other than as a dependent) is the primary plan that pays first; and the plan that covers the same person as a dependent is the secondary plan that pays second. *For example, if a dependent child on this group plan also has group coverage as an employee under their own employer's group plan, this Plan is secondary to the dependent child's group coverage.*
- B. There is one exception to this rule. If the person is also a Medicare beneficiary, and as a result of the provisions of Title XVIII of the Social Security Act and implementing regulations (the Medicare rules), Medicare is secondary to the plan covering the person as a dependent; and primary to the plan covering the person as other than a dependent (that is, the plan covering the person as a retired employee); then the order of benefits is reversed, so that the plan covering the person as a dependent pays first; and the plan covering the person other than as a dependent (that is, as a retired employee) pays second.

**Rule 2: Dependent Child Covered Under More Than One Plan**

- A. *The plan that covers the dependent child as a dependent on another group plan pays first. For example, if a married dependent child on this plan is also covered as a dependent on the group plan of their spouse, this Plan pays after the group plan of the spouse pays.*
- B. The plan that covers the parent whose Birthday falls earlier in the calendar year pays first; and the plan that covers the parent whose Birthday falls later in the calendar year pays second, if:
  1. the parents are married;
  2. the parents are not separated (whether or not they ever have been married); or
  3. a court decree awards joint custody without specifying that one parent has the responsibility for the child's health care expenses or to provide health care coverage for the child.

- C. If both parents have the same Birthday, the plan that has covered one of the parents for a longer period of time pays first; and the plan that has covered the other parent for the shorter period of time pays second.
- D. The word "Birthday" refers only to the month and day in a calendar year; not the year in which the person was born.
- E. If the specific terms of a court decree state that one parent is responsible for the child's health care expenses or health care coverage, that plan pays first. However, this provision does not apply during any Plan Year during which any benefits were actually paid or provided before the plan had actual knowledge of the specific terms of that court decree. If the specific terms of a court decree state that both parents are responsible for the dependent child's health care expenses or health care coverage, the plan that covers the parent whose Birthday falls earlier in the calendar year pays first, and the plan that covers the parent whose Birthday falls later in the calendar year pays second.
- F. If the parents are not married, or are separated (whether or not they ever were married), or are divorced, and there is no court decree allocating responsibility for the child's health care services or expenses, the order of benefit determination among the plans of the parents and their Spouses (if any) is:
  - 1. The plan of the custodial parent pays first; and
  - 2. The plan of the non-custodial parent pays second; and
  - 3. The plan of the Spouse of the custodial parent pays third; and
  - 4. The plan of the Spouse of the non-custodial parent pays last.

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**CONFIRMATION**

The undersigned Chairman and Secretary of the Board of Trustees of the Eighth District Electrical Benefit Fund do hereby certify that the foregoing Amendment #1 to the 2014 Plan was duly adopted and executed at a meeting of the Board of Trustees called and held on June 5, 2014.

By: \_\_\_\_\_

Chairman

By: \_\_\_\_\_

Secretary