

**BRICKLAYERS AND MASONS' LOCAL UNION NO. 5, OHIO
HEALTH AND WELFARE FUND
SUMMARY OF MATERIAL MODIFICATIONS (SMM)**

**TO: MEMBERS OF BRICKLAYERS AND MASONS' LOCAL UNION NO. 5, OHIO
HEALTH AND WELFARE FUND**

This Notice is being provided to you to explain certain important changes being made to the Bricklayers and Masons' Local Union No. 5, Ohio Health and Welfare Fund ("Fund"). Please keep this Notice with your Summary Plan Description to be certain you understand the benefits available under your Plan.

This SMM is effective July 1, 2017, and describes changes resulting from the addition of a Subrogation and Reimbursement provision to the Plan and SPD. Please attach this document to your SPD for future reference.

New Subrogation and Reimbursement Provisions

Effective July 1, 2017, the Plan and the SPD will be modified to add a new Subrogation and Reimbursement provision, Section 9.21 of the SPD. The subrogation and reimbursement process helps the overall financial stability of the Plan by ensuring the Plan is not the only entity paying for illness and injuries caused by another person or entity.

Under the new provision, if you recover any money from a settlement, judgment or any other source resulting from an injury, illness or condition caused by another person or entity, the Plan has the right to recover the value of any benefits (medical, disability, Rx, etc.) it paid on your behalf relating to the injury, illness or condition. This means that you must repay the Plan from any recovery you obtain. Under most circumstances, you are not required to repay the Plan if you do not obtain a recovery.

If you have any questions, please contact the Fund's Administration Office at 216-520-1644 or Bricklayers and Masons' Local Union No. 5, Ohio Health & Welfare Fund, 6200 Rockside Woods Boulevard North, Suite 210, Independence, OH 44131.

Sincerely,

THE BOARD OF TRUSTEES

Bricklayers and Masons' Local Union No. 5, Ohio Health and Welfare Fund: Thomas Cowan, David Dabrowski, Kenneth Kudela, Tim Linville, Robert Zavagno, Jr.