

Important Changes for Disability Claims

This Summary of Material Modifications (SMM) is being sent to all active and retired members who participate in the Bricklayers Masons' Local Union No. 5 Ohio Pension Plan (Plan). It is intended to advise you of changes to your Plan. Please take the time to read this carefully and keep it with your Summary Plan Description (SPD). If you have any questions regarding the Plan, please do not hesitate to contact the Fund Office.

As a Participant in the Plan, you have certain rights if your disability pension benefits are denied **on or after 4/1/18**.

Disability Claims Denials

- If your disability claim is denied, you must be notified by the Plan within 45 days of the receipt of your application.
- Your denial notification must include:
 - An explanation for why the Plan disagreed with the Social Security Administration, your health professional, and/or medical or vocational experts whose advice was obtained on behalf of the Plan.
 - The rules relied upon in denying your claim. You can request copies of Plan documents and information about your claim free of charge.
 - If applicable, the scientific or clinical judgment for the denial that applies the terms of the Plan to your medical circumstances.

Appealing a Disability Claim Denial

- Rescissions (a retroactive cancellation of disability benefits) are appealable.
- You have 180 days from the date of the denial of your claim to file an appeal.
- If the Plan obtains new evidence on your claim during the appeal, you will be provided the evidence automatically, free of charge, and will have the right to respond to the new evidence.
- Generally, the appeal will be considered at the Trustees' quarterly meeting. You will be notified of the Trustees' decision within 5 days of the decision being made.
- The notification of the decision will contain all of the information listed in the section above in addition to a description of your right to bring an action under ERISA Section 502(a) and the time limits to bring the action.
- There is now a 3-year statute of limitations to bring a civil action against the Plan. If you do not bring an action within this time period, you will be forever barred from pursuing the matter further.

Sincerely,
The Board of Trustees
Bricklayers Masons' Local Union No. 5 Ohio
Pension Plan

May 8, 2018