

**\*\*\*IMPORTANT NOTICE\*\*\***  
**SUMMARY OF MATERIAL MODIFICATIONS**  
**BAC OF MICHIGAN HEALTH & WELFARE PLAN**  
**MAY 2023**

**To: All Plan Participants in the BAC of Michigan Health & Welfare Plan (the “Plan”)**

**Re: End of COVID-19 National Emergency**

**Re: Elimination of Age Limitation for Autism Services**

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## **Why am I Receiving this Notice?**

### **End of COVID-19 National Emergency**

President Biden has announced that the COVID-19 National Emergency will not be extended by the federal government when it is set to expire on May 11, 2023. This Notice is to inform you of how the end of the National Emergency impacts your benefits under the Plan.

### **Elimination of Age Limitation for Autism Services**

This Summary of Material Modifications (“SMM”) is to inform you of a change to the BAC of Michigan Health & Welfare Plan (the “Plan”) that has taken effect on **January 1, 2023**. Beginning on that date, the Plan no longer limits certain treatment for autism spectrum disorder to persons under the age of nineteen (19). The notice will explain how your coverage is changing and what actions you need to take. You should file this notice with your personal records and add it to your copy of the Summary Plan Description.

## **How will this Notice Affect Me?**

### **End of COVID-19 National Emergency**

When the National Emergency ends, the following benefits that were previously covered at no cost will be subject to the Plan’s normal cost sharing (co-pays, coinsurance, and deductibles):

1. Testing for COVID-19 or contemporaneous alternative conditions such as flu, etc.
2. Over the Counter COVID tests will not be covered by the Plan.

Please note, however, that vaccines for COVID-19 **will** still be covered as a preventive service, without cost-sharing.

In addition, the National Emergency resulted in the Department of Labor extending the following Plan deadlines:

1. Time period to request HIPAA special enrollment.
2. Time period to elect COBRA continuation coverage.
3. The deadline to make COBRA premium payments.
4. The date to notify the Fund Office of a COBRA qualifying event or determination of disability.
5. The date to file a claim for benefits.
6. The date to appeal from the denial of a claim for benefits.
7. The date to request external review from an appeal denied by the Board of Trustees.
8. The date to submit information needed to complete a request for external review.

**The above extensions will expire one year from the date you became eligible for the extension of the applicable period, or July 11, 2023, which occurs first. Thereafter, the normal time limits under the Plan will be back in effect.**

### **Elimination of Age Limitation for Autism Services**

The Board of Trustees is pleased to inform you that coverage for medically necessary autism services will now be available for members of any age. Previously, following state of Michigan guidelines, children aged out of certain autism spectrum disorder services when they turned 19.

Because recent medical evidence indicates age limits are no longer an appropriate method for determining whether autism services, including ABA therapy, are medically necessary, the age limitation has been removed. This change also means:

- Members who would have aged out in 2022 will remain eligible to continue treatment for autism spectrum disorder, such as ABA therapy.
- Authorized claims for those members who would have aged out beginning January 1, 2022, will be processed as payable claims.
- Members who aged out before January 1, 2022, may qualify for ABA therapy if it is determined that the services are medically necessary.
  - To qualify for ABA therapy, members must have had an evaluation from an approved autism evaluation center to confirm an accurate diagnosis and recommendation that they would benefit from ABA, or they must obtain such an evaluation before receiving services.

### **What do I need to do?**

### **End of COVID-19 National Emergency**

The changes to coverage of COVID-19 and related testing, as well as coverage of over-the-counter tests, will take effect automatically. You do not need to take any action. The Trustees encourage you to file this SMM with your personal records and add it to your copy of the Summary Plan Description.

**Regarding the extensions of time, these extensions apply on an individual basis under the law. While the Fund Office will do its best to notify you if there is a known claim affected by these extensions that is nearing expiration, the Plan is most often NOT in the position to know of these events. Therefore, if you believe any of these extensions apply to past claims or events you or your dependents experienced, please contact the Fund Office.**

### **Elimination of Age Limitation for Autism Services**

This change has taken effect automatically. Any claims that have been made since January 1, 2023 have already been covered, and will continue to be covered. However, if you receive services outside Michigan, please contact the mental health or behavioral health customer service number on the back of your insurance card.

### **Important Reminder**

This SMM is a summary and is **not** an official plan document. The actual terms of the Plan are contained in the plan document, which is available from the Fund Office. In the event of any ambiguity in or omission from this SMM, or any conflict between this SMM and the official plan document, the official plan document will govern. In addition, retiree coverage is not a vested benefit. The coverage can be modified or eliminated entirely at any time. If you have any questions, please contact the Fund Office at (248)-828-6000.

Sincerely,

The Board of Trustees of the BAC of Michigan Health & Welfare Plan