

**AMENDMENT ELEVEN (DRAFT)**  
**TO THE**  
**SACRAMENTO INDEPENDENT HOTEL,**  
**RESTAURANT & TAVERN EMPLOYEES WELFARE TRUST**

WHEREAS, the Board of Trustees of the Sacramento Independent Hotel, Restaurant and Tavern Employees Welfare Plan (the "Plan") wishes to amend the Plan to add Applied Behavior Analysis ("ABA") diagnosis and treatment for Autism Spectrum Disorder;

WHEREAS, the Plan is a non-grandfathered self-funded health plan and is not required to cover ABA treatment for Autism Spectrum Disorder under Federal and/or State law but the Board of Trustees believes adding the ABA coverage for Autism Spectrum Disorder would be in the best interest of its Plan participants and eligible dependents; and

THEREFORE, the Board of Trustees amends the Plan as follows:

**Amendment**

**Effective as of November 1, 2019, the Board of Trustees of the Plan has amended and/or deleted #27, #28, #40, #48, #64, and #66 from Section 6, Article IX. Clarification of Indemnity Plan Benefits of the Summary Plan Description (also known as the Plan Document) as follows:**

- (27) Effective November 1, 2019, evaluation or treatment of learning disabilities, minimal brain dysfunction, developmental, learning and communication disorders, behavioral disorders, (including pervasive developmental disorders) training or cognitive rehabilitation, regardless of the underlying cause will no longer be an excluded service from the Plan if medically necessary.
- (28) Effective November 1, 2019, services, treatment and educational testing and training related to behavioral (conduct) problems, learning disabilities and delays in developing skills will no longer be an excluded service from the Plan if medically necessary.
- (40) Effective November 1, 2019, Educational services, meaning:
  - (a) any services or supplies related to education, training or retraining services or testing, including special education, remedial education, job training and job hardening programs;
  - (b) Evaluation or Treatment of learning disabilities, minimal brain dysfunction, developmental, learning and communication disorders, behavioral disorders (including pervasive developmental disorders) training or cognitive rehabilitation, regardless of the underlying cause; and
  - (c) Services, Treatment, and Educational Testing and training related to behavioral (conduct) problems, learning disabilities and delays in developing skills will no longer be an excluded service from the Plan if medically necessary.
- (48) Effective November 1, 2019, therapies for the treatment of delays in development, unless resulting from acute illness or injury, or congenital defects amenable to surgical repair (such as cleft lip/palate) are not covered. Examples of non-covered diagnoses include Pervasive Developmental Disorders (including Autism), Down Syndrome, and Cerebral Palsy, as they are considered both developmental and/or chronic in nature will no longer be an excluded service from the Plan if medically necessary.
- (64) Effective November 1, 2019, treatment of antisocial personality disorder unless considered medically necessary treatment of Applied Behavioral Analysis for Autism Spectrum Disorder.
- (66) Effective November 1, 2019, Applied Behavioral Analysis, the LEAP, TEACCH, Denver and Rutgers programs will no longer be an excluded service from the Plan if medically necessary.

**Effective as of November 1, 2019, the Board of Trustees of the Plan has added New Section C.11 to Article IX. Clarification of Indemnity Plan Benefits on page 31 of the Summary Plan Description (also known as the Plan Document) as follows:**

**C. Other Covered Indemnity Plan Benefits**

(11) Effective November 1, 2019, subject to the applicable co-payment and coinsurance, charges for the diagnosis and treatment of medically necessary Autism Spectrum Disorder, including evaluation or treatment of learning disabilities, minimal brain dysfunction, developmental, learning and communication disorders will be covered. Autism Spectrum Disorders are any of the pervasive developmental disorders as defined in the most recent edition of the Diagnostic and Statistic Manual of Mental Disorders published by the American Psychiatric Association (such as Autism, Asperger Syndrome, and Pervasive Development Disorder). Benefits are payable on the same basis as for the diagnosis and treatment of other physical conditions. No annual or lifetime dollar visits or dollar limits apply to the diagnosis and treatment of Autism Spectrum Disorder.

Diagnosis may include following: Medically necessary assessments, evaluations, neuropsychological evaluations, genetic testing or other tests to diagnose whether the individual has one of the Autism Spectrum Disorders.

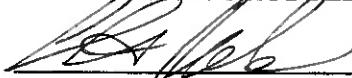
Treatment including the following care when prescribed, provided or ordered by a certified or licensed health care professional who determines the care to be medical necessary, rehabilitative, pharmacy, psychiatric, psychological and therapeutic.

Habilitative or Rehabilitative care means professional counseling and guidance services and treatment programs, including, but not limited to, applied behavior analysis supervised by a board certified behavior analyst, that are necessary to develop, maintain and restore, to the maximum extent practicable, the functioning of an individual. Applied behavior analysis includes the design, implementation and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including the use of direct observation, measurement and functional analysis of the relationship between environment and behavior.

Eligible Dependents will be evaluated by the Plan Provider to determine the appropriate treatment modality for their condition.

**Approved:**

**UNION TRUSTEES:**

  
Tony Blafield  
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**EMPLOYER TRUSTEES:**

  
Samuel H. Clark  
  
PP  
MM  
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