

PLEASE KEEP THIS WITH YOUR SUMMARY PLAN DESCRIPTION

**METROPOLITAN D.C. PAVING INDUSTRY
EMPLOYEES HEALTH AND WELFARE FUND**

7130 Columbia Gateway Drive, Suite A
Columbia, Maryland 21046
(410) 872-9541

January 2023

SUMMARY OF MATERIAL MODIFICATIONS #1

Dear Participant:

The Board of Trustees of the Metropolitan D.C. Paving Industry Employees Health and Welfare Fund (“Fund”) has issued this Summary of Material Modifications in accordance with applicable law to keep you apprised of material changes made to the Plan document. Please review this information carefully and keep it with your new Summary Plan Description so that you may refer to it if you have any questions in the future. If you have any questions, please call the Fund office at 410-872-9541.

The Board of Trustees has amended the new Summary Plan Description (“SPD”), dated October 1, 2022, to make the following changes:

1. Coverage of Fee for Pharmacist to Prescribe Paxlovid

Effective October 15, 2022, the Fund will cover the fee for a pharmacist (at CVS or a select network pharmacy) to assess a Fund-covered individual who has tested positive for COVID to determine if they are eligible for the oral anti-viral medicine Paxlovid, which has been shown to reduce the likelihood of requiring hospitalization. If the person is eligible for Paxlovid, the pharmacist can also prescribe it.

2. Coverage of Disposable Insulin Pumps

Effective November 15, 2022, the Fund will cover under the pharmacy benefit those disposable insulin pumps that are not covered under the medical benefit.

3. Certain Vision Enhancement Agents Excluded from Coverage

Effective October 1, 2022, the Fund excludes from coverage certain vision enhancement agents, including but not necessarily limited to eyedrops prescribed to correct blurry vision or droopy eyelids, and medication-releasing contact lenses. This change is a change to the Fund's prescription coverage and makes no change to the Fund's vision coverage.

Sincerely,

BOARD OF TRUSTEES

NOTICE OF GRANDFATHERED STATUS

The Board of Trustees believes that the Fund is a “grandfathered health plan” under the Patient Protection and Affordable Care Act (the Affordable Care Act). As permitted by the Affordable Care Act, a grandfathered health plan can preserve certain basic health coverage that was already in effect when the law was enacted. Being a grandfathered health plan means that the Fund may not include certain consumer protections of the Affordable Care Act that apply to other plans, for example, the requirement for the provision of preventive health services without any cost sharing. However, grandfathered health plans must comply with certain other consumer protections in the Affordable Care Act, for example, the elimination of lifetime limits on benefits.

Questions regarding which protections apply and which protections do not apply to a grandfathered health plan and what might cause a plan to change from grandfathered health plan status can be directed to the plan administrator at Carday Associates, Inc. at 1-410-872-9541. You may also contact the Employee Benefits Security Administration of the U.S. Department of Labor at 1-866-444-3272 or www.dol.gov/ebsa/healthreform. This website has a table summarizing which protections do and do not apply to grandfathered health plans.