

NECA-IBEW LOCAL NO. 364

FRINGE BENEFIT FUNDS

NECA-IBEW Local No. 364 Welfare Trust Fund
NECA-IBEW Local No. 364 Defined Contribution Pension Plan
NECA-IBEW Local No. 364 Vacation Fund
NECA-IBEW Local No. 364 Supplemental Unemployment Benefit Plan

Managed for the Trustees by:
TIC INTERNATIONAL CORPORATION

April 2018

**TO: ALL PARTICIPANTS OF THE NECA-IBEW LOCAL NO. 364
WELFARE TRUST FUND**

**RE: SUMMARY OF MATERIAL MODIFICATIONS –
DISABILITY BENEFIT CLAIMS AND APPEALS PROCEDURES**

Dear Participant:

It is the intention of the Board of Trustees of NECA-IBEW Local No. 364 Welfare Trust Fund to change benefits from time to time when the financial soundness of the Fund requires, and at other times to comply with changes to the Federal law. Please keep this updated information with your Summary Plan Description for future reference.

Disability Benefit Claims and Appeals Procedures

The Plan was amended to comply with the new claims and appeals regulations effective for Disability Benefit Claims filed on or after April 1, 2018. These rules ensure that the Plan is compliant to new Department Of Labor regulations and include the following requirements regarding claims and appeals for Disability Benefits:

1. The Plan must include a discussion of any initial denial or denial on appeal, including an explanation of why the Plan disagrees or does not follow:
 - the opinion of your treating health care professionals and vocational professionals, or
 - the opinion of medical or vocational experts whose advice was obtained on behalf of the Plan, or
 - the disability determination regarding the claimant by the SSA.
2. Explanations of denials that are based on a medical necessity or experimental treatment.
3. Copies of any internal plan rules relied on in making a benefit denial, or a statement that such rules do not exist if there are no such rules.
4. Before the Plan can issue a denial on appeal based on new or additional evidence or a new or additional rationale, you must be freely provided the evidence or rationale in advance of a denial so you may respond.

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5. If more than 10% of individuals residing in your county speak the same non-English language, the Plan must provide its services in a culturally and linguistically appropriate manner. This means the Plan would need to provide language services (such as a telephone customer assistance hotline) that include answering questions in any applicable non-English language and providing assistance with filing claims and appeals in any applicable non-English language; provide, upon request, a notice in any applicable non-English language; and must include in the English versions of all claims and appeals notices, a statement prominently displayed in any applicable non-English language clearly indicating how to access the language services provided by the Plan.
6. General requirements against bias in claims decision-making.

Please keep this notice with your Summary Plan Description (the “SPD”) for reference. It is important to retain this information until a new SPD is issued to you. If you have any questions regarding these changes, please contact the Fund Office at (877) 364-4239.

Sincerely,

NECA-IBEW Local No. 364
Welfare Trust Fund
Board of Trustees