



WELFARE DIVISION

**IMPORTANT BENEFITS NOTICE  
SUMMARY OF MATERIAL MODIFICATIONS**

**To: All Participants in the UNITED WELFARE FUND**

**From: Board of Trustees**

**Date: July 1, 2022**

**Re: Mental Health and Substance Abuse and Autism Spectrum Disorder Benefits**

We are writing to advise you of important changes being made to the Mental Health and Substance Abuse and Autism Spectrum Disorder benefits rules of the UNITED WELFARE FUND (the “Fund”). **Please read this notice carefully since it could affect your and/or your dependents’ benefits under the Plan.**

This document is a Summary of Material Modifications (“SMM”) to the Fund’s Summary Plan Description (“SPD”). We are sending it to you in accordance with federal law – the Employee Retirement Income Security Act of 1974, as amended (ERISA). Please take the time to read this SMM carefully, and please keep it with your copy of the SPD.

\* \* \*

The Trustees of the Plan have taken the following actions by unanimous written consent, effective September 1, 2021.

- A. The mental health or substance use disorder benefits in the Summary Plan Description for the United Welfare Fund - Welfare Division are amended to delete the following provisions from the Plan relating to coverage for residential treatment facility services:
1. Any limitation or exclusion to benefits based on a “fail first” requirement (such as a requirement to show that a lower level of care was not effective), as applied to the following classifications: (a) in-network outpatient; (b) out-of-network outpatient; (c) in-network inpatient; and (d) out-of-network inpatient.
  2. Any limitation or exclusion to benefits based on a “likelihood of improvement requirement”, as applied to the following classifications: (a) in-network outpatient; (b) out-of-network outpatient; (c) in-network inpatient; (d) out-of-network inpatient; and (e) emergency room services.

**B.** The Summary Plan Description for the United Welfare Fund - Welfare Division is amended to delete the following provision from the Plan relating to Autism Spectrum Disorders (ASD) services:

1. Any limitation or exclusions to benefits based on a “treatment plan requirement”, for the following classifications: (a) in-network outpatient and (b) out-of-network outpatient; (c) in-network inpatient; and (d) out-of-network inpatient.

**C.** In place of the deleted provisions in Sections A and B above, benefit determinations for residential treatment and ASD services, respectively, shall be made under the Summary Plan Description for the United Welfare Fund - Welfare Division applying “medical necessity” criteria based on established guidelines (such as the MCG Health clinical decision guidelines).

\* \* \*

**Please call the Fund Office at (718) 658-4848 with any questions about these benefit changes.**

**This SMM is intended to describe certain changes being made to the plan of benefits (“Plan”) of the UNITED WELFARE FUND. While every effort has been made to make this description as complete and as accurate as possible, this SMM does not contain a full restatement of the terms and provisions of the Plan. If any conflict should arise between this SMM and the Plan, or if any point is not discussed in this SMM or is only partially discussed, the terms of the Plan will govern in all cases.**

**The Board of Trustees reserves the right, in its sole and absolute discretion, to amend, modify or terminate the Plan, or any benefits provided under the Plan, in whole or in part, at any time and for any reason, in accordance with the applicable amendment procedures established under the Plan and the Agreement and Declaration of Trust establishing the Plan (the “Trust Agreement”). The Trust Agreement is available upon request at the above address and may be inspected by you free of charge during normal business hours.**

**No individual other than the Board of Trustees has any authority to interpret the plan documents, make any promises to you about benefits under the Plan, or to change any provision of the Plan. Only the Board of Trustees has the exclusive right and power, in its sole and absolute discretion, to interpret the terms of the Plan and to decide all matters arising under the Plan.**

