

MICHIGAN STATE PAINTERS INSURANCE FUND

December 2018

SUMMARY OF MATERIAL MODIFICATIONS

To: Participants of the Michigan State Painters Insurance Fund

The purpose of this communication is to inform you of modifications in the Plan for benefits of the Michigan State Painters Insurance Fund, correction of a clerical error and information on the composition of the Board of Trustees of the Fund. Accordingly, the Plan and Summary Plan Description was amended as follows, with references to pages in it:

1. To ensure compliance with Department Of Labor regulations effective April 1, 2018, the following rules apply to the processing of denials of disability benefit claims and appeals set forth at pages 109-114:
 - a. Benefit denial notices must contain:
 - 1) A complete discussion of A) why the Fund denied the claim and the standards used in making the decision, including internal rules, guidelines, protocols, standards or other similar criteria that were used in denying the claim, or a statement that none were used, and B) if applicable, the basis for not following the views of health care professionals or experts who treated or evaluated the participant, or a disability determination made by the Social Security Administration.
 - 2) A statement that the participant is entitled to receive, upon request and free of charge, reasonable access to and copies of all documents, records or other information relevant to the claim.
 - 3) Notice that an appeal must be received in writing at the Fund office within 180 days of the date that the participant received notice of the claim denial as a condition of consideration of an appeal, with information on the procedure to submit an appeal.
 - b. Notices of denial of an appeal must contain:
 - 1) A complete discussion of A) why the Fund denied the claim and the standards used in making the decision, including specific internal rules, guidelines, protocols, standards or other similar criteria that were used in denying the claim, or a statement that none were used, and B) if applicable, the basis for not following the views of health care professionals or experts who treated or evaluated the participant, or a disability determination made by the Social Security Administration.

(see reverse side)

- 2) A statement that the participant is entitled to receive, upon request and free of charge, reasonable access to and copies of all documents, records or other information relevant to the claim.
 - 3) Notice of the participant's right to file a lawsuit under Section 502(a) of ERISA over denial of the appeal.
 - 4) Notice that no legal action may be commenced relating to denial of the appeal more than one year after the Board of Trustees' decision on the appeal, with insertion of the calendar date of one year from the date of the meeting at which the Board made the decision on the appeal as a deadline to file suit.
- c. The Fund will notify the participant of a claim denial within 45 days after the Fund receives the claim. This period may be extended if necessary pursuant to procedures in 29 C.F.R. § 2560.503-1(f)(3). The Fund will notify the participant of an appeal denial within five days after the Board of Trustees' decision on the appeal.
 - d. The Fund may not deny an appeal based on any new or additional evidence or rationale that was not considered in the initial denial unless the participant is given notice of such evidence or rationale and a reasonable opportunity to respond before the Fund's appeal decision becomes final.
 - e. The Fund will ensure that claims and appeals are adjudicated in a manner designed to ensure the independence and impartiality of any person involved in the claims or appeals process.
 - f. If a participant's address is in a county where at least ten percent of the population is literate only in the same non-English language as the participant, benefit denial notices will be provided in the non-English language and the Fund will follow other procedures set forth in the Affordable Care Act.
2. The section on General Exclusions and Limitations was modified at page 104 to eliminate No. 28, effective January 1, 2019.
 3. The section on Inpatient Mental Health and Substance Abuse Treatment Care at page 50 is amended effective February 1, 2019, to eliminate criteria for severity of illness and intensity of service for two admissions per calendar year.
 4. The Trustees of the Fund, page 126, are the following:

Management Trustees

Chad Christensen
 Niles Industrial Coatings
 201 S. Alloy Drive
 Fenton, Michigan 48430

Union Trustees

Travis Cary
 Painters Local 1011
 116 South 9th Street
 Escanaba, MI 49829

Dominic Logeonelo
R & L Painting, LLC
10220 West Herbison Road
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Painters Local 1052
3115 Joyce Street
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14587 Barber Avenue
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5430 Frovan Place
Saginaw, Michigan 48638

Tim Schwerin
Painters District Council 1M
1473 North 30th Street
Galesburg, Michigan 49053

Please keep this information with your Plan and Summary Plan Description for future reference.

As always, if you have any questions, please feel free to contact the Fund office at (800) 482-0948.

Sincerely,

Board of Trustees
Michigan State Painters Insurance Fund