

HOUSING BENEFITS PLAN

SUMMARY PLAN DESCRIPTION

SUMMARY OF MATERIAL MODIFICATIONS

Important Notice **March 18, 2022**

This Summary of Material Modifications (“SMM”) describes changes to the Housing Benefits Plan (“Plan”). The Plan’s benefits are summarized in the various applicable “certificates of coverage” which, together, comprise the summary plan description (“SPD”). The SPD was previously made available to you. This SMM makes changes to your SPD. The changes are discussed below and update the SPD to remind you of certain changes made to the Plan as allowed in accordance with the Consolidated Appropriations Act, 2021 and the American Rescue Plan Act of 2021.

The following is important information that may apply to you, and so you should carefully read it and keep it with your SPD and the underlying certificates of coverage.

Certain Deadlines under HIPAA, ERISA Claims Procedures, and COBRA

This is a reminder that to provide relief during the COVID-19 pandemic, effective March 1, 2020, the DOL and IRS temporarily extended deadlines for various employee benefit plan requirements. Some of those deadlines impact this Plan and are discussed below. The applicable deadlines are extended until the earlier of (a) one year from the date you first become eligible for this extension relief, or (b) 60 days after the declared end of the COVID 19 pandemic (i.e., the end of the “Outbreak Period”).

The deadlines that have been extended are as follows:

HIPAA Special Enrollment Period. Normally, under HIPAA, you are eligible to enroll yourself, spouse and/or dependents in the Plan under certain circumstances (e.g., you or your spouse or dependent loses other coverage). You must enroll during the HIPAA “special enrollment period” which is typically 30 days (or 60 days if the other coverage that has been lost is state Medicaid or CHIP).

During the Outbreak Period, however, these deadlines are disregarded for a year (as described above).

***Example:** You and your spouse are enrolled in the Plan. On July 31, 2021, you have a baby. Typically, you would have had until August 30, 2021, to enroll the new baby as a dependent for coverage in the Plan. However, because of the deadline suspension, you may have until August 30, 2022 (unless the Outbreak Period ends earlier). This coverage applies retroactively to the date of birth, provided you pay the premiums for any period of coverage.*

ERISA Claims Procedures. Generally, under the Plan, you must file a claim timely and then the Claims Administrator has 30 days to deny that claim. If your claim is denied, then you have 180 days to file an appeal of that denial.

During the Outbreak Period, however, the deadlines applicable to you as a Participant are disregarded for a year (as described above).

Example: You submit a claim for benefits and that claim is denied on July 31, 2021. Normally you would be required to file any appeal not later than August 30, 2021. However, because of the deadline suspension, you may have until August 31, (2022) to file your appeal (unless the Outbreak Period ends earlier).

COBRA Deadlines. Under the Plan there are four general deadlines that may apply to you if you experience a “qualifying event” and seek to continue coverage: (1) 60 days to notify the Plan of a “qualifying event,” (2) 60 days to elect COBRA coverage, (3) 45 days to pay the initial COBRA premium, and (4) 30 days to pay on-going COBRA premiums.

During the Outbreak Period, however, each of these deadlines are disregarded for a year (as described above).

Example: For the 2021 Plan year, you elected to participate in the Plan and premium payments are made on your behalf contribute from January through August. But your hours are reduced such that you are no longer eligible to participate in the Plan effective September 1, 2021. You are provided a COBRA election notice on September 1, 2021. Normally, you would have to elect COBRA by November 1, 2021 (60 days from receiving the COBRA election notice). However, because of the deadline suspension, you may be eligible to elect COBRA by November 1, 2022 (unless the Outbreak Period ends earlier).

Please note that this SMM is a modification to the SPD (and each underlying certificate of coverage that makes up the SPD) and shall be deemed to amend any Plan document. In the event of any conflict between the Plan, a certificate of coverage, and this SPD (as updated by this SMM), this SMM shall control.

The changes discussed above is important information that may apply to you, and so you should carefully read it and keep this SMM with your SPD and the underlying certificates of coverage.