



## Operating Engineers Local #49 Health and Welfare Fund

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### SUMMARY OF MATERIAL MODIFICATIONS

Date: June 2022

To: Active Participants, and Retirees, and Their Eligible Dependents Enrolled in the  
Operating Engineers Local #49 Health and Welfare Fund

From: The Board of Trustees

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The Trustees of the Operating Engineers Local #49 Health and Welfare Fund are pleased to announce the following enhancement to the hearing aid benefit for Participants under age 16. Please read this Summary of Material Modification (SMM) in its entirety so that you fully understand the improvement to the hearing aid benefit.

#### YOUR HEARING AID BENEFIT

##### Current Hearing Aid Benefit

The Plan covers 100% of the cost of a hearing aid, up to a maximum of \$2,000 once within a five-calendar-year period. You do not have to satisfy a deductible before being reimbursed for your hearing aid purchase. The five-calendar-year period begins on the first day of the calendar year that follows the date you first purchase a hearing aid. For example, if the Fund reimburses you for a hearing aid that you purchase on September 1, 2022, the maximum \$2,000 benefit coverage will not be available again until the five-calendar-year period that begins on January 1, 2028.

##### New/Enhanced Hearing Aid Coverage for Participants Ages 15 and Under

Effective January 1, 2022, the hearing aid benefit has been enhanced to cover 100% of the cost of a replacement hearing aid, up to a maximum of \$2,000 annually (no deductible), if the replacement hearing aid is purchased for a Participant aged 15 years and under. This means there is no longer a five-calendar-year waiting period on the reimbursement of replacement hearing aids for Participants under age 16. For example, if the Fund reimburses you for a replacement hearing aid that you purchase in 2022 for a 14-year-old Participant, you can purchase a replacement hearing aid for that same Participant in 2023 and again be reimbursed by the Fund for up to \$2,000. (Note: The five-calendar-year period limitation still applies to participants aged 16 and over.)

##### Covered Hearing Aid Expenses

Covered hearing aid expenses include a hearing aid instrument prescribed by an audiologist, otologist, otolaryngologist, or a person certified to dispense hearing aids. Because hearing aids differ in many ways, including size, placement in or on the ear, and how well they make sound louder, it is recommended that you shop around, and that you work closely with a hearing care professional to determine which style is best for you. Know that hearing aid costs can vary widely depending on where you purchase the aids. To learn more about the types and styles of hearing aids, visit [webmd.com](http://webmd.com) or the [U.S. Food and Drug Administration's website](http://www.fda.gov).

## Non-Covered Hearing Aid Expenses

Hearing aid benefits are **not** paid for:

- Hearing aids not prescribed by an audiologist, otologist, or otolaryngologist, or person certified to dispense hearing aids;
- Expenses made by a speech pathologist;
- Expenses for speech therapy, speech readings, or lessons in lip reading;
- Expenses for rental of or purchase of amplifiers; or
- Hearing aid batteries. (Note: Expenses for hearing aids and batteries are eligible for reimbursement through the Health Reimbursement Arrangement).

## OPTIONAL NON-PLAN-FUNDED HEARING AID BENEFITS FOR VETERANS

If you are a veteran, you may be eligible to receive hearing aids, hearing aid batteries, and hearing aid accessories through the U.S. Department of Veteran Affairs (VA) for free or very little cost. To receive hearing aid benefits through the VA, you must first register for VA healthcare coverage at a VA medical center of your choice. You will probably need a copy of the Veteran's DD214, your driver's license, and your health insurance at the time of registration. There are several ways to enroll:

- In person at any VA medical center or clinic;
- [Online by filling out the Form 10-10EZ](#); and
- By mailing a completed Form 10-10EZ to the medical center of your choice (please be sure to sign your application or it cannot be processed for enrollment).

Once registered (or, if you are already registered), you may schedule an appointment at the Audiology and Speech Pathology Clinic for an evaluation of your hearing. The audiologist will make a clinical determination on your need for hearing aids and/or other hearing assistive devices. If hearing aids are recommended and fit, the hearing aids, repairs, and future batteries will likely be at no or little charge to you, if you maintain VA eligibility for care.

For more information about VA hearing aid coverage, visit the [U.S. Department of Veteran Affairs website](#). Click [here](#) to find out how to apply for VA health care benefits or visit.

## TOTALLY DISABLED DEFINITION CHANGE AND UPDATE TO RETIREE PLAN ELIGIBILITY FOR ELIGIBLE EMPLOYEES WITH A DISABILITY

Effective May 1, 2022, the Plan's definition of Totally Disabled is updated as follows:

**Totally Disabled:** The complete inability of the Eligible Employee to engage in or perform the duties of his or her regular occupation or employment, as determined by his or her Physician as a result of an Injury or Illness.

The Board of Trustees will require proof of the Eligible Employee's total disability and may require subsequent proof. In addition, the Trustees have the right to require the disabled Eligible Employee to submit to a medical examination at the Plan's Expense.

Effective May 1, 2022, the Plan's eligibility for provisions for retiree coverage are updated to provide as follows:

Once you retire, you are required to meet certain eligibility requirements in order to be eligible for retiree coverage from the Fund. Once you become Medicare-eligible, you may be eligible for coverage under the fully-insured Medicare retiree program.

In order to participate in the Plan as a retiree, you must meet the following requirements:

- a.
  1. Be at least 55, eligible for a pension from the Central Pension Fund of Operating Engineers, and have been eligible for benefits provided by this Fund during the 12 months prior to retirement; or
  2. Be at least 62, eligible for a pension from the Central Pension Fund of Operating Engineers, and have been covered for at least 10 consecutive years under this Fund immediately prior to retirement; or
  3. Be at least 65, eligible for a pension from the Central Pension Fund of Operating Engineers, and have been covered for at least 5 consecutive years under this Fund immediately prior to retirement; or
  4. Be at least age 55 with at least 10 consecutive years of employment, or age 65 with 5 consecutive years of employment with the same contributing public sector employer (i.e. city, county or other municipality) to the Fund on your last day of work prior to retirement.
  5. Have 10 Service Credits and be eligible for a disability retirement benefit from the Central Pension Fund of Operating Engineers through establishment of a Social Security disability benefit through the Social Security Administration. If you are eligible for a disability retirement benefit from the Central Pension Fund of Operating Engineers due to a non-work related injury or illness, you will receive 26 weeks of disability credits, which will provide you coverage as an Active Employee, before you begin your participation in the retiree program, provided you were eligible for active coverage at the time of the disablement. If your disability is the result of a work-related injury, you are not eligible for the 26 weeks of disability credits.
- b. Be eligible for active coverage at the time of retirement, death, or disablement.
- c. Pay the required self-payment for each month of coverage.

Note that in order for a pre-retired surviving spouse to receive benefits under the retiree program, you must have had 10 Service Credits.

#### **FINAL NOTE**

Please share this SMM with your family members and store it with your Summary Plan Description (SPD) booklet for easy reference.

If you have any questions regarding this SMM or your Plan benefits, do not hesitate to contact the Fund Office at (800) 535-6373 or (952) 854-0795.

This Summary of Material Modification provides only highlights of recent changes to the Operating Engineers Local #49 Health and Welfare Fund. Full details are contained in the documents that establish the Plan provisions. If there is a discrepancy between the wording here and the documents that establish the Plan, the document language will govern. The Trustees reserve the right to amend, modify or terminate the Plan at any time.