

December 27, 2010

**SUMMARY OF MATERIAL MODIFICATIONS #3**

**Notice to Participants in the  
Laborers' District Council Health & Welfare Trust Fund No. 2**

Dear Participant:

The following is a supplement to your Summary Plan Description describing recent changes adopted by the Board of Trustees.

**I. DEPENDENT ELIGIBILITY**

**As part of the recently enacted health care reform legislation, effective October 1, 2010, the Fund will cover adult children of a participant up to the age of twenty-six (26), unless the adult child is eligible for Employer-sponsored coverage or for coverage under their spouse's employer-sponsored plan. The new law requires coverage of adult children up to age 26 regardless of the adult child's marital status, financial dependency on the participant, residency with the participant, student status, or any other dependency-test. Until September 30, 2014, the Plan will temporarily not cover your Eligible Dependent children who are eligible for their own employer-sponsored health coverage or are eligible for coverage under their spouse's employer-sponsored plan.**

**Individuals whose coverage ended, or were denied coverage because the availability of dependent coverage of children ended before attainment of age twenty-six (26) are eligible to (re)-enroll in the Fund. Individuals may request enrollment for such children for thirty (30) days from the date of this notice but no later than February 1, 2011. Enrollment will be effective October 1, 2010. Coverage for your Eligible Dependent child will end on the last day of the month in which the child turns age 26. If you wish to obtain coverage for your Dependents, the attached Dependent Eligibility Form must be completed and returned to the Fund Office.**

## **II. GRANDFATHERED PLAN**

The Laborers' District Council Health & Welfare Trust Fund No. 2 believes this plan is a "grandfathered health plan" under the Patient Protection and Affordable Care Act (the Affordable Care Act). As permitted by the Affordable Care Act, a grandfathered health plan can preserve certain basic health coverage that was already in effect when that law was enacted. Being a grandfathered health plan means that the Laborers' District Council Health & Welfare Trust Fund No. 2 may not include certain consumer protections of the Affordable Care Act that apply to other plans, for example, the requirement for the provision of preventive health services without any cost sharing. However, grandfathered health plans must comply with certain other consumer protections in the Affordable Care Act, for example, the elimination of lifetime limits on benefits.

Questions regarding which protections apply and which protections do not apply to a grandfathered health plan and what might cause a plan to change from grandfathered health plan status can be directed to the Plan Administrator at the telephone numbers listed below. You may also contact the Employee Benefits Security Administration, U.S. Department of Labor at 1-866-444-3272 or [www.dol.gov/ebsa/healthreform](http://www.dol.gov/ebsa/healthreform). This website has a table summarizing which protections do and do not apply to grandfathered health plans.

## **III. BOARD OF TRUSTEES**

The Board of Trustees of the Laborers' District Council Health & Welfare Trust Fund No. 2 is:

### **Union Trustees**

Justin Meighan, Chairman  
Mid-Atlantic Regional Laborers  
12355 Sunrise Valley Drive  
Suite 550  
Reston, VA 20191

Anthony Frederick, Sr., Co-Secretary  
Local 657  
5201 First Place NE  
Washington, DC 20011

Gerald Warrick  
Local 657  
5201 First Place NE  
Washington, DC 20011

Ernesto Galeas  
Local 11  
3660 D Wheeler Avenue  
Alexandria, VA 22304

Hugo Carballo  
Mid-Atlantic Regional Laborers  
12355 Sunrise Valley Drive  
Suite 550  
Reston, VA 20191

### **Employer Trustees**

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Millersville, MD 21108

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Ocean Pines, MD 21811

Michael Buch  
Buch Construction  
10945 Johns Hopkins Road  
Laurel, MD 20723

Cherie Pleasant  
Construction Contractors Council  
2300 Wilson Boulevard  
Suite 410  
Arlington, VA 22201

Pat Hurley  
PO Box 183  
Solomons, MD 20688

*Please keep this in your Summary Plan Description for handy reference and safekeeping. If you do not have a Summary Plan Description, you may obtain a copy by making a written request to the Fund Office, Laborers' District Council Health and Welfare Trust Fund No. 2; 7130 Columbia Gateway Drive, Suite A; Columbia, MD 21046; 866-553-6559.*

Sincerely,

**BOARD OF TRUSTEES**

SMM#3 / SPD 6/09