

**SUMMARY OF MATERIAL MODIFICATIONS
AND
NOTICE TO PARTICIPANTS**

**NEW YORK STATE TEAMSTERS COUNCIL
HEALTH & HOSPITAL FUND**

(Plan No.: 501; I.D. No.: 15-0551885)

February 2017

Dear Participant:

The following is an updated notice for your Health & Hospital Fund General Eligibility & ERISA Rights Information Booklet effective August 23, 2016:

The change is summarized as follows:

1. Section 3, **Eligibility for Fund Benefits**, Subsection J, **Dependent Eligibility**, has been amended by deleting No. 2, Eligible Children, and replacing it with the following, with the new language shown in italics, effective August 23, 2016:
 2. **Eligible Children.** Children (including biological children, adopted children, children placed for adoption, stepchildren, foster children, including a grandchild who *has* been placed in *your custody* by a court of competent jurisdiction, *or other minor child of a family member for whom you have court awarded full custody*) are eligible for the Plan's coverage until attainment of age 26.

Children named in a Qualified Medical Child Support Order which meets the requirements of ERISA as described below, are also eligible dependents for purposes of the Plan's coverage. Permanently and totally disabled children of the Participant will continue to be covered past age 26 for as long as they remain permanently and totally disabled as described below.

Your eligible children also include your stepchildren who meet the specified age restrictions. However, the Plan's obligation to provide benefits will be secondary to any obligation of either or both of the natural parents created by court order or judgment of divorce or of legal separation. The stepparent will promptly provide a copy of any such court order or judgment and, in the event there is imposed such obligation on the natural parent or parents, the stepchildren will first seek payment or provision of benefits pursuant to said obligation of the natural parent(s). If collection under, or enforcement of, the natural parent's obligation is impossible or impracticable, the Plan will provide benefits the same as for legally adopted children according to the terms and conditions of the Plan.

The Fund will be assigned the right to enforce such obligation so as to obtain reimbursement from the responsible natural parent or parents, or from their insurer, for benefits provided.

Foster children include children who meet the specified age restrictions and are placed with the Participant by an authorized placement agency or by judgment, decree, or other order of any court of competent jurisdiction.

Permanently and Totally Disabled. To be considered permanently and totally disabled, your child must be incapable of working because of mental illness, developmental disability, or mental retardation, (as defined in the New York State Mental Hygiene Law) or a physical handicap. This condition must have occurred **before** turning twenty-six (26); or was otherwise eligible as a dependent under this program.

The Plan's definition of eligible children is meant to be consistent with IRS rules.

For purposes of the Dependent Life Insurance Benefit, your child must be more than 30 days old, must not be married, and must be your legal dependent for federal income tax purposes. Dependent eligibility for this benefits ends on the first day of the month following attainment of age nineteen (19), or, in the case of eligible dependents who are full time students at qualified educational institutions (or who are on medically necessary leave from such institutions) the first of the month following the attainment of age twenty-three (23), unless such dependent is totally and permanently disabled as described in Section 3 above.

If you have any questions, please contact the Fund Office at 315.455.9790.

Sincerely,

BOARD OF TRUSTEES
NEW YORK STATE TEAMSTERS COUNCIL
HEALTH & HOSPITAL FUND