

IMPORTANT ANNOUNCEMENT

DATE: September 15, 2009

TO: All Individuals Eligible to Participate in the Retired Health and Welfare Plan*

RE: HIPAA Special Enrollment

On February 4, 2009, President Obama signed into law the "Children's Health Insurance Program" (CHIP), which became effective on April 1, 2009 and expanded the **Special Enrollment Period** of the Health Insurance and Accountability Act (HIPAA).

Under the previous Special Enrollment Provisions, an Eligible Individual could defer enrollment in the Retired Health and Welfare Plan if the individual was enrolled in another health plan at the time he was offered the opportunity to enroll in the Retired Plan. The Plan provided a **31-day window** during which the Eligible Individual could enroll after the other health plan coverage terminated.

The **new legislation** allows Individuals who are eligible to participate in the Retiree Plan a **60-day window** during which time they can enroll in the Plan upon termination of the other health plan. This **60-day window** is available to those who have lost coverage under Medicaid, the State's Children's Health Insurance Program (S-CHIP or CHIP), or who become entitled to a premium subsidy under either program. In addition, we have decided that the **60-day window** will also apply to Eligible Individuals who acquire a new spouse or dependent and wish to enroll them in the Retiree Health & Welfare Plan, an extension of coverage *not required* by the **new legislation**. If you believe that you are eligible to enroll in the Retiree Health & Welfare Plan under these changes, you should contact the Fund Office for information and assistance.

*An individual is eligible to participate in the Retired Plan if he meets the criteria outlined under Article II., Section 2 on pages 64 and 65 of the Retired Health and Welfare Plan booklet.

If you should have any questions about this Notice or the new Special Enrollment Period, please contact the Fund Office, Monday through Friday, 8:00 AM to 5:00 PM.

Sincerely,

Board of Trustees