AMENDMENT TO THE WELFARE PLAN
OF THE CENTRAL LABORERS' WELFARE FUND

WHEREAS, the right to further amend the Summary Plan Description has been reserved by the Board of Trustees, which right the Board of Trustees now desires to exercise.

WHEREAS, we the undersigned, being all of the Trustees and all of the persons entitled to notice of, to attend and to vote at meetings do hereby authorize, consent and agree that the following action may be taken and adopted for the benefit of the Participants covered under the Plan.

NOW, THEREFORE, the Board of Trustees amend the Welfare Plan as follows subject to the conditions specified above:

1. The Summary Plan Description Definition, specifically the definition titled, "**Experimental or Investigative...**", page 84, is amended and the new definition is added and will read as follows:

Experimental and/or Investigational and/or Unproven means:

Any charge, expenses, service, supply or device that is deemed to be Experimental and/or Investigational and/or Unproven. The Plan Administrator or its designee has the discretion and authority to determine if a service or supply is or should be classified as Experimental and/or Investigational or Unproven.

The fact that an Experimental or Investigational or Unproven charge, expense, service, supply, or device regimen is the only available treatment for a particular condition will not result in benefits if the procedure is considered to be Experimental or Investigational or Unproven in the treatment of that particular condition.

A charge, expense, service, supply or device will be deemed to be Experimental and/or Investigational or Unproven if, in the opinion of the Plan Administrator or its designee, **based on the information and resources available at the time the charge, expense, service supply or device was performed or provided or at the time the charge, expenses, service, supply or device was considered for Precertification, <u>any</u> of the following conditions were present with respect to one or more essential provisions of the charge, expense, service, supply or device:**

1. The charge, expense, service, supply or device is described as an alternative to more conventional therapies in the protocols or consent document of the Physician, Hospital or health care provider that performs the service or prescribes the charge, expense, service, supply or device;
2. The prescribed charge, expense, service, supply or device may be given only with the approval of an Institutional Review Board as defined by federal law;
3. In the opinion of the Plan Administrator or its designee, there is either an absence of authoritative medical, dental or scientific literature on the subject, or a preponderance of such literature published in the United States, and written by experts in the field, that shows that recognized medical, dental or scientific experts classify the charge, expense, service, supply or device as experimental and/or investigational or unproven or indicate that more research is required before the charge, expense, service, supply or device could be classified as equally or more effective than conventional therapies;
4. With respect to any charge, expense, service, supply or device regulated by the US Food and Drug Administration (FDA), FDA approval is required in order for the charge, expense, service, supply or device to be lawfully marketed and it has not been granted at the time the charge, expense, service,

supply or device is prescribed or provided or a current investigational new drug or new device application has been submitted and filed with the FDA.

In determining if a charge, expense, service, supply or device is or should be classified as Experimental and/or Investigational or Unproven, the Plan Administrator or its designee will rely only on the following specific information and resources **that are available at the time the charge, expense, service, supply or device was performed, provided or considered:**

1. Medical or dental records of the covered person;
2. The consent document signed, or required to be signed, in order to receive the prescribed charge, expense, service, supply or device;
3. Protocols of the Physician, Hospital or health care provider that renders, or if applicable, prescribes the charge, expense, service, supply or device;
4. Authoritative peer reviewed medical or scientific writings that are published in the United States regarding the prescribed charge, expense, service, supply or device for the treatment of the covered person's diagnosis, including, but not limited to "United States Pharmacopeia Dispensing Information"; and "American Hospital Formulary Service";
5. The published opinions of: the American Medical Association (AMA), or specialty organizations recognized by the AMA; or the National Institutes of Health (NIH); or the Centers for Disease Control & Prevention (CDC); or the Office of Technology Assessment; clinical policy bulletins of major insurance companies in the U.S. such as Aetna, Anthem, CIGNA, or Unitedhealthcare (UHC), Tufts or MCG Care Guidelines, formerly Milliman Care Guidelines, or the National Comprehensive Cancer Network (NCCN) Clinical Practice Guidelines or, the clinical decision support resource titled "UpToDate," McKesson Interqual criteria or Trilogy Claims Administrative Handbook, or the American Dental Association (ADA) with respect to a dental charge, expense, service, supply or device or.
6. Federal laws or final regulations that are issued by or applied to the FDA or Department of Health and Human Services regarding the prescribed charge, expense, service supply or device.
7. The latest edition of "The Medicare National Coverage Determinations Manual" or Medicare "Local Coverage Determinations" (LCDs).

2. The Medical Exclusion No. 41, is amended will read as follows:

41. Any charge, expense, service, supply or device that is deemed to be Experimental and/or Investigation and/or Unproven as defined on Page 84.

3. The Prescription Drug No. 6, is amended will read as follows:

6. Any charge, expense, service, supply, drug or device that is deemed to be Experimental and/or Investigation and/or Unproven as defined on Page 84.

4. The Dental Exclusion No. 12, is amended will read as follows:

12. Any charge, expense, service, supply or device that is deemed to be Experimental and/or Investigation and/or Unproven as defined on Page 84.

The Board of Trustees hereby adopts this amendment to the Central Laborers' Summary Plan Description as of this _21st_ day of May, 2019.

Chairman

Secretary