

**NYSUT Member Benefits Trust
Summary of Material Modifications
And
Notice to Participants
(Plan No: 503; I.D. No.: 22-2480854)**

Dated: March 2021

**SPECIAL COVID-19 RELATED SUMMARY OF MATERIAL MODIFICATIONS
RELATING TO THE EXERCISE OF CERTAIN PARTICIPANT RIGHTS UNDER
THE NYSUT MEMBER BENEFITS TRUST**

This special COVID-19 related Summary of Material Modifications (“SMM”) relates to your benefit rights under the NYSUT Member Benefits Trust (the “Plan” or “MBT”). This SMM amends the Special Enrollment Rights and COBRA Continuation Coverage sections of the MBT Summary Plan Description (“SPD”), published in March 2021, to reflect guidance that was recently issued by the U.S. Department of Labor Employee Benefits Security Administration (“EBSA”) in EBSA Disaster Relief Notice 2021-1 (the “Notice”). This new guidance may extend the time you have to exercise your COBRA, special enrollment, and claims and appeals rights under certain MBT-endorsed Benefit Programs. **Please read this SMM carefully and keep it with your SPD.**

Beginning March 1, 2020, any participant deadlines that relate to the exercise of your COBRA, HIPAA special enrollment, or claims and appeals rights that fall during the “COVID-19 Outbreak Period” (March 1, 2020 until 60 days after the announced end of the COVID-19 National Emergency) will be suspended until the earlier of: (a) one year from the applicable deadline; or (b) the end of the COVID-19 Outbreak Period. This means that every time a participant has a COBRA, special enrollment, or claims and appeals deadline that occurs on or after March 1, 2020, that deadline will be suspended for up to one year, as long as the COVID-19 Outbreak Period continues. The Notice provides the following examples to help explain this relief:

- **Example 1:** If a participant would have been required to make a COBRA election by March 1, 2020, the Notice delays that requirement until February 28, 2021, which is the earlier of one year from March 1, 2020 or the end of the COVID-19 Outbreak Period (which remains ongoing).
- **Example 2:** If a participant would have been required to make a COBRA election by March 1, 2021, the Notice delays that election requirement until the earlier of one year from that date (March 1, 2022) or the end of the COVID-19 Outbreak Period.

If you have any questions about how these changes may affect the exercise of your COBRA, special enrollment, or claims and appeals rights, please contact the applicable Benefit Provider directly.

Sincerely,

Board of Trustees
NYSUT Member Benefits Trust