

THE GUILD FOR EXCEPTIONAL CHILDREN, INC.

SUMMARY OF MATERIAL MODIFICATION

TO THE

THE GUILD FOR EXCEPTIONAL CHILDREN, INC. HEALTH & WELFARE BENEFIT PLAN

This Summary of Material Modification (“SMM”), effective as indicated below, amends your Summary Plan Description (“SPD”) for The Guild for Exceptional Children, Inc. Health & Welfare Benefit Plan as follows:

FIRST: The section titled “**Introduction**” is amended by adding the following paragraphs to the end thereof:

Section 6001- Coverage of Testing for COVID-19. Federal law now requires any group health plan and health insurance issuer offering group or individual health insurance coverage to provide coverage and not impose any cost-sharing requirements or prior authorization or other medical management requirements consistent with the Families First Coronavirus Response Act (FFCRA). This Section, which applies to all employers regardless of size, is effective immediately and continues until the Federal government determines otherwise. The U.S. Department of Health and Human Services determines when the public health emergency has expired.

IRS Notice 2020-15- High Deductible Health Plans and Expenses Related to COVID-19. Under IRS Notice 2020-15, until further guidance is issued, a health plan that otherwise satisfies the requirements to be a High Deductible Health Plan (HDHP) under the Internal Revenue Code will not fail to be an HDHP merely because the health plan provides health benefits associated with testing for and treatment of COVID-19 without a deductible, or with a deductible below the minimum deductible (self only or family) for an HDHP. Therefore, an individual covered by the HDHP will not be disqualified from making tax-favored contributions to a health savings account.

Note that recent legislation also permits, for plans beginning prior to January 1, 2022, a HDHP to cover all telehealth, qualifying preventative services and other remote care services with no deductible. This Section is applicable only to employers who offer High Deductible Health Plans. The effective period is immediate and will cease when further guidance is issued by the IRS.

Deadline Extensions. In response to the COVID-19 outbreak, certain departments, including the Departments of Labor, Treasury and Health and Human Services have issued extensions with respect to standard timeframes relating to HIPAA, COBRA, and the ACA. These departments may make further extensions and may do so with other similar laws generally relating to ERISA which shall be incorporated in this document as appropriate. For additional information regarding fully insured plans, please refer to your insurance carrier certificate of coverage and/or policy. For additional information regarding self-insured plans, please reach out to your Employer and/or Plan Administrator.

SECOND: The section titled “**Family Medical Leave Act Coverage**” is amended by adding the following paragraph to the end thereof:

All references to “FMLA” incorporate any applicable provision of the Families First Coronavirus Response Act (FFCRA). This Section is generally applicable to employers who have fewer than 500 employees. Certain exceptions apply. The effective period for this change is April 1, 2020 through December 31, 2020. For details, see the FFCRA Poster provided by the DOL on its website or as posted, where applicable, by your Employer.

This SMM merely highlights the COVID-19 legislative changes as they have impacted your Plan.

Please keep this important Summary of Material Modification with your Summary Plan Description.