

December 11, 1979

(Opinion issued in letter form; name and address deleted)

RE: ROD #60

Pursuant to Article IX of the UMWA 1950 Benefit Plan and Trust, and under the authority of an exemption granted by the U.S. Department of Labor, the Trustees have received the question of the coordination of benefits as it applies to copayments. Their opinion is issued in Question and Answer form as follows:

Subject: Coordination of Benefits/Copayments

References: Amended 1950 & 1974 Benefit Plans and Trusts, Article III, Section A(8), 9(h), 1978 Contract Q&A #105

Question: The wife of a Funds beneficiary receives coverage for health benefits under her non-coal industry Employer's benefit plan. She also is eligible for coverage by the Funds. Can the coverage provided by her Employer's plan be counted towards her Funds copayment maximum for physician services and medications?

Answer: No.

Therefore, the wife of a UMWA represented employee would not be able to apply the \$150.00 paid by her insurance company for charges incurred by physician visits during hospitalization towards the \$150.00 deductible requirement set forth in Article XX of the 1978 National Bituminous Coal Wage Agreement and Article III, Section A (8) of the Employer Plan.

Sincerely,

Harrison Combs, Chairman

John J. O'Connell, Trustee

Paul R. Dean, Trustee