# PLAN AMENDMENT #1

**for**

**THE EDCARE GROUP HEALTH BENEFITS PLAN (Restated January 1, 2023)**

Effective October 1, 2023, The EdCare Group hereby amends the Benefit Document & Summary Plan Description as follows:

**IMPORTANT INFORMATION**

The section identified as ‘FAMILIES FIRST CORONAVIRUS RESPONSE ACT AND THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT’ on page 2 is removed in its entirety.

# DEFINITIONS

DEFINITIONS, at pages 57-63, is amended to modify the first sentence in the definition of ‘Usual and Customary’ and to add new definitions for ‘Qualifying Payment Amount’ and ‘Certified IDR Entity’.

 The first sentence of the definition for ‘Usual and Customary’ is amended and replaced with the following (the remainder of the definition is unchanged):

 **Usual and Customary** - Covered Expenses which are identified by the Plan Administrator, taking into consideration the fee(s) which the Provider most frequently charges (or accepts for) the majority of patients for the service or supply, the cost to the Provider for providing the services, the prevailing range of fees charged in the same “area” by Providers of similar training and experience for the service or supply, and the Medicare reimbursement rates, taking into consideration factors such as the Qualifying Payment Amount and the amount deemed payable by a Certified IDR Entity.

 **Certified IDR Entity** - An entity responsible for conducting determinations under the No Surprises Act and that has been properly certified by the Department of Health and Human Services, the Department of Labor, and the Department of the Treasury.

 **Qualifying Payment Amount** - The median of the contracted rates recognized by the Plan for the same or a similar item or service provided by a Provider in the same or similar specialty in the same geographic region. If there are insufficient (meaning at least three) contracted rates available to determine a Qualifying Payment Amount, said amount will be determined by referencing a state all-payer claims database or, if unavailable, any eligible third-party database in accordance with applicable law.

*Effective Date*

This Notice is effective October 1, 2023.

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**All other sections of the Plan remain unchanged.**

**NOTICE TO PLAN PARTICIPANT:** REVIEW THIS AMENDMENT CAREFULLY AND THEN INSERT IT INTO YOUR BENEFIT BOOKLET. THIS AMENDMENT REFLECTS CHANGE(S) TO YOUR SUMMARY PLAN DESCRIPTION AND MAY INCLUDE MATERIAL MODIFICATIONS IN PLAN BENEFITS.