



## BSA 2017 Benefits Program

This booklet applies to the following participants who are not eligible for Medicare:

<b>Retirees</b>
<b>Former non-IBEW employees who were approved for BSA long term disability (LTD) benefits after 12/31/08 and are receiving such LTD benefits</b>
<b>Former IBEW employees who were approved for BSA long term disability (LTD) benefits after 12/31/11 and are receiving such LTD benefits</b>
<b>Covered family members</b>

The information in this booklet is intended to provide only a summary of the benefit programs. If questions arise, official plan documents and insurance agreements are controlling and govern final determination of benefits consistent with applicable laws and regulations. **BSA reserves the right to amend or terminate the benefit programs at any time and for any reason.**



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# Welcome to the 2017 Benefits Open Enrollment Period

This booklet provides you with an overview of your Brookhaven Science Associates (BSA) benefits. Please review this booklet carefully before making your benefit choices.

The Open Enrollment period will be held from **Monday, November 7, 2016 through Friday, November 18, 2016.**

Representatives from the Benefits Office, the Aetna medical programs, and the Delta Dental programs will be available to answer any questions you may have on **Thursday, November 10, 2016 in the lobby of Building 400 11:00 a.m. – 1:30 p.m.**

See pages 5 - 6 for more information on the Open Enrollment Period.

See pages 7 - 11 for information on the medical programs, including medical program changes on page 7.

See pages 12 - 14 for information on the dental programs, including dental program changes on page 12.

## **Changes to the Dental Program:**

As of January 1, 2017, the Delta Dental PPO maximum benefit has been increased from \$1,000 to \$1,500 per person per calendar year.

**Once you've reviewed the information in this booklet, we encourage you to use the modelling tool available at [www.bnl.gov/hr/Benefits/](http://www.bnl.gov/hr/Benefits/) to make informed decisions and determine which programs will best meet your health care needs.**

Additional information on the benefit programs, including Summary Plan Descriptions, is available on the Benefits Office website at [www.bnl.gov/hr/Benefits/](http://www.bnl.gov/hr/Benefits/).

# Here's What You'll Find In This Booklet

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## OPEN ENROLLMENT FOR 2017 BENEFITS

<p><b>Open Enrollment Dates</b></p>	<p>The Open Enrollment period will be held from <b>Monday, November 7, 2016 through Friday, November 18, 2016.</b></p>
<p><b>Open Enrollment Deadline</b></p>	<p>The deadline for enrollments/changes is <b>Friday, November 18, 2016.</b> Elections must be received by the Benefits Office, Bldg. 400B by this date to be eligible for the Open Enrollment period.</p>
<p><b>Effective Date For Open Enrollment Elections</b></p>	<p>Changes made during the Open Enrollment period will be effective on <b>January 1, 2017.</b></p>
<p><b>Representatives And Literature</b></p>	<p>Representatives from the Benefits Office, the Aetna medical programs and Delta Dental programs will be available to answer any questions you may have on:</p> <p style="text-align: center;"><b>Date: Thursday, November 10, 2016</b>  <b>Location: Lobby of Building 400 11:00 a.m. – 1:30 p.m.</b></p>
<p><b>Changes You Can Make To Your Benefits During The Open Enrollment Period</b></p>	<ul style="list-style-type: none"> <li>• During the Open Enrollment period you may make the following changes to your medical and/or dental coverage: <ul style="list-style-type: none"> <li>• Drop coverage</li> <li>• Change from one Medical and/or Dental program to another</li> <li>• Add or drop family members covered</li> </ul> </li> <li>• The elections you have in place for the <u>medical and/or dental programs</u> will roll forward from one year to the next for you and your eligible family members only if (1) the program continues to be available on January 1 of the following year and (2) premiums are paid and all criteria for eligibility are met. For additional information, please refer to the Summary Plan Descriptions available on the Benefits Office website at <a href="http://www.bnl.gov/hr/Benefits/">www.bnl.gov/hr/Benefits/</a>.</li> </ul>
<p><b>How To Make Changes To Your Benefits</b></p>	<p>If you decide to make a change for 2017, you must complete the enclosed election form and return it to the Benefits Office by the deadline.</p> <p>You may only make changes to your coverage during the Open Enrollment period or when a Qualifying Event occurs. Qualifying Events allow you to make certain changes to your coverage if you notify the Benefits Office within a limited period of time from the date of the event. Qualifying Events may include changes in: legal marital status, number of dependents, dependent status, employment status, work schedule, place of residence, or worksite. The Qualifying Event must relate to the change in coverage that you request. See page 15 for additional information on Qualifying Events.</p>

## ADDITIONAL INFORMATION

<b>Will I receive a new identification card?</b>	<p><b><u>Medical Plan:</u></b> If you make a change from one medical plan to another for January 1, 2017, you will receive a new identification card from Aetna. Also, if you add an eligible dependent to your coverage, the dependent will receive an identification card. For coverage of two or more people, Aetna will issue two cards. Each card will have the employee's name listed on top followed by the name of each dependent. Each card will look the same unless you have more than four dependents. If you have more than four dependents you will receive additional cards that will include the employee's name followed by the name of each additional dependent.</p> <p><b><u>Dental Plan:</u></b> If you make a change from one dental plan to another for January 1, 2017, you will receive a new identification card from Delta Dental.</p>	
<b>If I have questions regarding my monthly bill for medical or dental coverage, who should I contact?</b>	You should contact P&A Group, who issues the monthly bills. They can be reached at (800) 688-2611. If, after contacting P&A Group, you require further assistance, you may contact the Benefits Office at (631) 344-5126, (631) 344-2877 or (800) 353-5321.	
<b>Where can I get more information on the programs?</b>	Additional information is available through the Benefits Office at (631) 344-5126, (631) 344-2877 or (800) 353-5321 and at <a href="http://www.bnl.gov/hr/Benefits/">www.bnl.gov/hr/Benefits/</a> and through the following websites and telephone numbers. Provider directories are only available online at the websites indicated below.	
<b>Medical Programs</b>	<b>Website</b>	<b>Telephone #</b>
Aetna	<a href="http://www.aetna.com">www.aetna.com</a>	(855) 586-6961
<b>Dental Programs</b>	<b>Website</b>	<b>Telephone #</b>
Delta Dental DMO	<a href="http://www.deltadentalins.com">www.deltadentalins.com</a>	(800) 422-4234
Delta Dental PPO and Indemnity	<a href="http://www.deltadentalins.com">www.deltadentalins.com</a>	(800) 932-0783

## MEDICAL PROGRAMS

We are pleased to offer you the following medical programs through Aetna for 2017.

There are three Point of Service (POS) programs available to you where you may use physicians and facilities of your choice worldwide.

When you use a provider or healthcare services, you pay for part of the cost of those services yourself in the form of copayments, deductibles, and coinsurance. Aetna's POS network includes not just physicians, but many types of healthcare service providers such as hospitals, laboratories, x-ray facilities, physical therapists, medical equipment providers, outpatient surgery centers, etc. The POS programs provide an incentive for you to get your care from its network of providers by charging you lower copays, deductibles and coinsurance compared to when your care is provided out-of-network. You do not need to select a primary care physician, and referrals to specialists are not required.

For 2017 you can choose from the following medical programs:

- Aetna POS Plan 1
- Aetna POS Plan 2
- Aetna POS Plan 3

See page 11 for a comparison of the medical programs.

During the Open Enrollment period, you may change your coverage and elect one of the other available Aetna medical programs for 2017. The change in coverage will be effective on January 1, 2017. You must use the enclosed BENEFITS ELECTION FORM to make such election and return the completed form by November 18, 2016 to:

Brookhaven Science Associates, LLC  
Brookhaven National Laboratory  
P.O. Box 5000 -Building 400B  
Attention: Benefits Office  
Upton, NY 11973

You may only make changes to your coverage during the Open Enrollment period or when a Qualifying Event occurs.

### **Prescription Drug Coverage**

Prescription drug coverage is provided through the Aetna medical programs. There are four tiers of prescription drugs: generic, brand name in Aetna's formulary, brand name not in Aetna's formulary and specialty.

<b>Medical Program Changes Effective January 1, 2017</b>
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There have been no changes to the medical plan designs (coverage, copayments, coinsurance, etc.) for 2017.

Contributions for medical coverage are based on a number of factors including the medical program you elect and the number of people you enroll. The contributions may change from year to year so it is important for you to review the 2017 medical contributions on page 10.

## MEDICAL PROGRAMS

### Important Information

- If you are an eligible family member of:
  - a current Medicare-eligible retiree who has been receiving coverage through the BSA medical program
  - or
  - a current Medicare-eligible participant who is receiving BSA Long Term Disability (LTD) Plan benefits who has been receiving coverage through the BSA medical program,

the retiree/LTD participant must elect/maintain medical coverage through BSA's healthcare insurance program through SelectQuote in order for you to be eligible to continue coverage under BSA's medical program.

- When a participant who is currently not eligible for Medicare is approaching eligibility for Medicare, the participant will receive information from BSA on how to transition to the medical coverage available to Medicare-eligible participants. If the spouse or dependent child of a retiree (or participant who is approved for LTD benefits) becomes eligible for Medicare due to a disability, please contact the Benefits Office at (631) 344-5126, (631) 344-2877 or (800) 353-5321 to notify us of this change.

## MEDICAL PROGRAMS

### Contributions

See page 10 for the 2017 medical contributions.

2017 contributions as a percent of the medical program cost are indicated below.

#### **Non-Medicare-Eligible Participants (Contributions as a Percent of Medical Program Cost)**

<b>Category</b>	<b>2017</b>
<ul style="list-style-type: none"><li>• Former non-IBEW employees who retired before 1/1/02</li><li>• Former IBEW employees who retired before 1/1/04</li><li>• Former IBEW employees who were approved for BSA LTD benefits after 12/31/11 and are receiving such LTD benefits</li></ul>	30%
<ul style="list-style-type: none"><li>• Former non-IBEW employees who were hired before 1/1/11 and retired after 12/31/01</li><li>• Former IBEW employees who were hired before 1/1/11 and retired after 12/31/03</li><li>• Former non-IBEW employees who were approved for BSA LTD benefits after 12/31/08 and are receiving such LTD benefits</li></ul>	40%
<ul style="list-style-type: none"><li>• Employees hired on or after 1/1/11 who retire</li></ul>	50%

## MEDICAL PROGRAMS

<b>2017 Monthly Cost Of Medical Coverage</b>
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**Non-Medicare Eligible:**

- Retirees
- Participants Who Are Receiving BSA Long Term Disability (LTD) Plan Benefits
- Covered Family Members

Category	Aetna POS Medical Program	2017 Contribution as a Percent of Medical Program Cost	2017 Monthly Contribution		
			One Person	2 People	3 or More People
<ul style="list-style-type: none"> <li>• Former non-IBEW employees who retired before 1/1/02</li> <li>• Former IBEW employees who retired before 1/1/04</li> <li>• Former IBEW employees who were approved for BSA LTD Plan benefits after 12/31/11 and are receiving such benefits</li> </ul>	Plan 1	30%	\$260.76	\$541.45	\$719.84
	Plan 2		\$250.33	\$519.77	\$691.02
	Plan 3		\$237.18	\$492.47	\$654.73
<ul style="list-style-type: none"> <li>• Former non-IBEW employees who were hired before 1/1/11 and retired after 12/31/01</li> <li>• Former IBEW employees who were hired before 1/1/11 and retired after 12/31/03</li> <li>• Former non-IBEW employees who were approved for BSA LTD Plan benefits after 12/31/08 and are receiving such benefits</li> </ul>	Plan 1	40%	\$347.68	\$721.93	\$959.79
	Plan 2		\$333.77	\$693.03	\$921.36
	Plan 3		\$316.24	\$656.63	\$872.97
<ul style="list-style-type: none"> <li>• All employees hired on or after 1/1/11 who retire</li> </ul>	Plan 1	50%	\$434.61	\$902.42	\$1,199.74
	Plan 2		\$417.21	\$866.29	\$1151.71
	Plan 3		\$395.30	\$820.79	\$1,091.22

## MEDICAL PROGRAMS

MEDICAL PLAN DESIGN	AETNA POS PLAN 1	AETNA POS PLAN 2	AETNA POS PLAN 3
<b>IN-NETWORK</b>			
COPAY (PCP/SPECIALIST) (per visit)	\$20/\$35	\$25/\$40	\$30/\$45
DEDUCTIBLE/YR (Individual/Family)	\$0	\$150/\$300	\$300/\$600
COINSURANCE	0%	10%	20%
OUT-OF-POCKET MAXIMUM/YR MEDICAL (includes deductible, copays, & coinsurance) (Individual/Family)	\$5,100/\$10,200	\$1,000/\$2,000	\$2,000/\$4,000
OUT-OF-POCKET MAXIMUM/YR PRESCRIPTION DRUGS (includes deductible, copays, & coinsurance) (Individual/Family)	\$1,500/\$3,000	\$1,500/\$3,000	\$1,500/\$3,000
EMERGENCY ROOM (per visit)	\$100	\$150	\$200
INPATIENT HOSPITAL (per admission)	\$500	DEDUCTIBLE + COINSURANCE	DEDUCTIBLE + COINSURANCE
OUTPATIENT SURGERY (per visit)	\$100	DEDUCTIBLE + COINSURANCE	DEDUCTIBLE + COINSURANCE
TELADOC (per telephonic visit)	\$20	\$25	\$30
WALK-IN CLINIC (per visit)	\$20	\$25	\$30
URGENT CARE CENTER (per visit)	\$50	\$50	\$50
X-RAY/LABORATORY	COVERED IN FULL	\$20	\$20
COMPLEX IMAGING (MRI, CT SCAN, ...)	\$50	\$50	\$50
HEARING AIDS	COVERED IN FULL	DEDUCTIBLE + COINSURANCE	DEDUCTIBLE + COINSURANCE
ROUTINE EYE EXAM	COVERED IN FULL (1 EXAM EVERY 24 MONTHS)	COVERED IN FULL (1 EXAM EVERY 24 MONTHS)	COVERED IN FULL (1 EXAM EVERY 24 MONTHS)
ROUTINE PHYSICAL (limits apply)	COVERED IN FULL	COVERED IN FULL	COVERED IN FULL
<b>OUT-OF-NETWORK</b>			
DEDUCTIBLE (Individual/Family)	\$1,000/\$3,000	\$1,500/\$4,500	\$2,000/\$6,000
COINSURANCE	30%	30%	30%
OUT-OF-POCKET MAXIMUM (includes deductible & coinsurance) (Individual/Family)	\$3,500/\$10,500	\$5,000/\$15,000	\$6,000/\$18,000
<b>PRESCRIPTION DRUGS (in-network only)</b>			
DEDUCTIBLE/YR (Individual/Family) (Deductible is combined for retail & mail order)	\$100/\$300	\$100/\$300	\$100/\$300
<b>RETAIL: up to 30-day supply</b>			
TIER 1 (generic)	\$10	\$10	\$10
TIER 2 (brand name in Aetna's formulary)	\$25	\$30	\$35
TIER 3 (brand name not in Aetna's formulary)	\$40	\$50	\$60
TIER 4 (specialty drugs)	\$50	\$60	\$70
<b>MAIL ORDER: 31-90-day supply (can also be done through CVS retail pharmacy)</b>			
TIER 1 (generic)	\$20	\$20	\$20
TIER 2 (brand name in Aetna's formulary)	\$50	\$60	\$70
TIER 3 (brand name not in Aetna's formulary)	\$80	\$100	\$120
TIER 4 (specialty drugs)	N/A	N/A	N/A

This represents only a portion of the medical schedule. For additional information go to [www.bnl.gov/hr/Benefits/](http://www.bnl.gov/hr/Benefits/).

## DENTAL PROGRAMS

We are pleased to offer you dental programs through Delta Dental (PPO, DMO and Indemnity). You can choose from:

The **Preferred Provider Organization (PPO)** where you may use dentists of your choice. If services are received from an in-network provider, your out-of-pocket expenses will be lower than if you use a provider who is not in the network. You may use two networks: Delta Dental Premier and Delta Dental PPO. You have an annual deductible and partial reimbursement of expenses. You or your dental provider must submit claims for reimbursement.

The **Dental Maintenance Organization (DMO)** where services are provided through a network of participating dentists. The network is DeltaCare USA. There is a schedule of benefits indicating the cost of services. No claim forms are required. You must select a participating dentist for your general dental care, and referrals to specialists are required.

The **Indemnity Program** where you may use dentists of your choice. If services are received from an in-network provider, you will receive a discount on covered services. You may use two networks: Delta Dental Premier and Delta Dental PPO. You have an annual deductible and partial reimbursement of expenses. You or your dental provider must submit claims for reimbursement.

**Dental programs are not available to retirees unless elected under COBRA immediately following retirement and for a maximum period in accordance with COBRA regulations.**

See page 14 for a comparison of the dental programs.

### Dental Program Changes Effective January 1, 2017

The Delta Dental PPO maximum benefit has been increased from \$1,000 to \$1,500 per person per calendar year.

Contributions for dental coverage are based on the dental program you elect and the number of people you enroll. The contributions may change from year to year so it is important for you to review the 2017 dental contributions on page 13.

## DENTAL PROGRAMS

<b>2017 Monthly Cost of Dental Coverage</b>
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### Participants Who Are Receiving BSA Long Term Disability Benefits

Dental Program	Monthly Contribution		
	One Person	2 People	3 or More People
Delta Dental DMO	\$ 5.00	\$10.00	\$19.00
Delta Dental PPO	\$10.11	\$20.86	\$34.23
Delta Dental Indemnity	\$ 5.00	\$10.00	\$19.00

### COBRA Participants (102% of Program Cost)

Dental Program	Monthly Contribution		
	One Person	2 People	3 or More People
Delta Dental DMO	\$19.61	\$39.85	\$59.30
Delta Dental PPO	\$33.79	\$71.78	\$100.67
Delta Dental Indemnity	\$14.94	\$31.74	\$44.50

COBRA contributions include a 2% administrative fee.

## DENTAL PROGRAMS

	DELTA DENTAL			
	DMO	PPO		Indemnity
<b>Network</b>	DeltaCare	PPO and Premier Networks		PPO and Premier Networks
	<b>In-Network Only</b>	<b>In-Network</b>	<b>Out-of-Network</b>	<b>In- and Out-of-Network</b>
<b>Provider</b>	Participating Provider	Participating Provider	Any Provider	Any Provider
<b>Claim Process</b>	Pay dentist scheduled fee	Dentist will charge you applicable co-pay	Must submit claim to Delta Dental	Participating dentist will charge you applicable co-pay. Claims must be submitted to Delta Dental for non-participating dentists.
<b>Dependent Children Age Limit</b>	End of year age 23	End of year age 23		End of year age 23
<b>Annual Deductible Per Individual/Family</b> (for basic & major restorative dental services. Does not apply to preventive services.)	N/A	\$25/\$75 (in- and out-of-network combined)		\$25/\$75
<b>Calendar Year Maximum Benefit Per Person</b> (for all services other than orthodontia.)	N/A	\$1,500 (in- and out-of-network combined)		\$1,000
<b>Eligibility for Orthodontia Coverage</b>	Children: To end of year age 23	Children: To age 19		Children: To age 19
	Employee/Spouse: eligible	Employee/Spouse: not eligible		Employee/Spouse: not eligible
<b>Coverage Based On</b>	Fee Schedule	Reduced Contracted Fees	Reasonable & Customary Fees	Reimbursement Schedule
	Amount <b>participant</b> pays	Amount <b>insurance company</b> pays		Amount <b>insurance company</b> pays
<b>Diagnostic &amp; Preventive Services</b> (exams, cleanings, x-rays)	\$0	80%	70%	See schedule
<b>Basic Services</b>	\$0	60%	45%	\$26
Fillings: one-surface amalgam (procedure code: 2140)				
Fillings: one-surface composite - anterior (procedure code: 2330)	\$5	60%	45%	\$30
<b>Endodontics</b>				
Root canal therapy - molar (excludes final restoration) (procedure code: 3330)	\$350	60%	45%	\$282
<b>Periodontics</b>	\$145	60%	45%	\$150
Gingivectomy - per quad (procedure code: 4210)				
<b>Major Services</b>	\$380	50%	35%	\$250
Crowns - Porcelain Fused to High Noble Metal (procedure code: 2750)				
<b>Implants</b>	Not covered	50%	30%	\$1,000
<b>Orthodontic Benefits</b>	See fee schedule	50%	50%	See reimbursement schedule
<b>Orthodontic Lifetime Maximum Benefit Per Person</b>	N/A	\$1,000 (in- and out-of-network combined)		\$1,000

This represents only a portion of the dental schedule. For additional information go to [www.bnl.gov/hr/Benefits/](http://www.bnl.gov/hr/Benefits/).

## QUALIFYING EVENTS

### **What is a Qualifying Event?**

A Qualifying Event is a change in your family status and includes:

- (a) change in legal marital status: (1) marriage, (2) death of spouse, (3) divorce, (4) legal separation, (5) annulment
- (b) change in number of dependents: (1) birth, (2) adoption, (3) placement for adoption, (4) death of a dependent
- (c) change in employment status: (1) termination or commencement of employment of the employee, spouse or dependent, other than for gross misconduct
- (d) change in work schedule: (1) an increase or decrease in the number of hours of employment by the employee, spouse or dependent, (2) a switch between full-time and part-time status, (3) a strike or lockout, (4) commencement or return from an unpaid leave of absence
- (e) the dependent satisfies or ceases to satisfy the requirements for unmarried dependents: (1) due to attainment of age, (2) student status
- (f) change in the place of residence or work site of the employee, spouse or dependent

### **What coverages can I change if I have a Qualifying Event?**

Retirees: For the Medical Program, you may be eligible to add or delete dependents, or change, or drop coverage. You may also add coverage if such coverage is currently suspended.

Participants who are receiving BSA long term disability benefits (that are terminated from employment): For the Medical and/or Dental Programs, you may be eligible to add or delete dependents, or change or drop coverage.

Change(s) in coverage that you request must relate to the change that affects eligibility for coverage. This information also applies to eligible family members.

### **How do I change my coverage?**

To change your coverage(s) when a Qualifying Event has occurred, you must notify the Benefits Office and complete an enrollment form within 31 days of the date of the Qualifying Event for all items indicated above, except (a)(3), (a)(4), (e)(1) and (e)(2). [60 days applies for items (a)(3), (a)(4), (e)(1) and (e)(2).] The completed form must be submitted, with proof of the Qualifying Event, to the Benefits Office. Your premiums (for Medical and/or Dental Program coverages) will then be changed for the remainder of the calendar year.

### **When are coverage changes effective?**

If you notify the Benefits Office of the Qualifying Event and provide the completed enrollment form within the applicable period, the change in coverage will become effective as of the date of the Qualifying Event.

If a dependent is no longer eligible for coverage and you do not remove that dependent from your coverage within the applicable Qualifying Event period, his/her coverage will end as of the date he/she is no longer eligible.

You must notify the Benefits Office within the applicable period for addition of an eligible dependent. If you only notify the Medical and/or Dental Insurance Company directly, we may be unable to make the change until the next Open Enrollment period.

# COMPREHENSIVE WELFARE BENEFITS PLAN NOTICE OF PRIVACY PRACTICES

Brookhaven Science Associates, LLC (“BSA”) continues its commitment to maintaining the confidentiality of your private medical information. This Notice describes our efforts to safeguard your health information from improper or unnecessary use or disclosure. This Notice applies only to health-related information received by or on behalf of the Medical and Dental Benefit Options and the Health Care Reimbursement Account Benefit Option under the Brookhaven Science Associates, LLC Comprehensive Welfare Benefits Plan (the “Health Plan”). A federal law requires us to provide you with a summary of the Health Plan’s privacy practices and related legal duties, and your rights in connection with the use and disclosure of your Health Plan information.

This Notice applies to BSA employees, former employees, and dependents who participate in the Health Plan.

In this Notice, the terms “we,” “us,” and “our” refer to the BSA Health Plan, all BSA employees involved in the administration of the BSA Health Plan, and all third parties who perform services for the BSA Health Plan. Actions by or obligations of the Health Plan include these BSA employees and third parties. However, BSA employees perform only limited Health Plan functions – most Health Plan administrative functions are performed by third party service providers.

Please note: This Notice does not apply to HMO or fully insured medical, dental, or vision benefit options. If you are enrolled in an HMO or a fully insured medical or dental benefit option, you will receive a separate notice from your HMO provider or insurance company. This Notice also does not apply to BSA’s On-site Medical Clinic.

## **What is Protected?**

Federal law requires the Health Plan to have a special policy for safeguarding a category of medical information called “protected health information,” or “PHI,” received or created in the course of administering the BSA Health Plan. PHI is information about your past, present or future health or condition that can be used to identify you and that relates to:

- your physical or mental health condition,
- the provision of health care to you, or
- payment for your health care.

Your medical and dental records, your claims for medical and dental benefits, and the explanation of benefits sent in connection with payment of your claims are all examples of PHI. Employment records maintained by BSA in its capacity as employer are not PHI.

If BSA obtains your health information in another way (for example, if you are hurt in a work accident or if you provide medical records with your request for Family and Medical Leave Act absence), then BSA will safeguard that information in accordance with the employee manual and applicable laws. Similarly, health information obtained by a non-health-related benefits program, such as the long-term disability program, is not protected under this Notice. This Notice does not apply in those types of situations because the health information is not received or created in connection with the BSA Health Plan.

The remainder of this Notice generally describes our rules with respect to your PHI received or created by the Health Plan.

## **Uses and Disclosures of Your PHI**

To protect the privacy of your PHI, the Health Plan not only guards the physical security of your PHI, but we also limit the way your PHI is used or disclosed to others. For routine uses and disclosures, your authorization is not required, but for other uses and disclosures, your authorization (or the authorization of your personal representative) may be required. We may use or disclose your PHI in certain permissible ways described below. To the extent required under federal health information privacy law, we use the minimum amount of your PHI necessary to perform these tasks.

- To determine proper payment of your Health Plan benefit claims. The Health Plan uses and discloses your PHI to reimburse you or your health care providers for covered treatments and services. For example, your diagnosis information may be used to determine whether a specific procedure is medically necessary or to reimburse your doctor for your medical care.
- For the administration and operation of the Health Plan. We use and disclose your PHI for numerous administrative and quality control functions necessary for the Health Plan's proper operation. For example, we may use your claims information for cost-control or planning-related purposes.
- To inform you or your health care provider about treatment alternatives or other health-related benefits that may be offered under a Health Plan. For example, we may use your claims data to alert you to an available case management program if you become pregnant or are diagnosed with diabetes or liver failure.
- To a health care provider if needed for your treatment. For example, we may disclose your prescription information to a pharmacist regarding a drug interaction concern.
- To a health care provider or to a non-BSA health plan to determine proper payment of your claim under the other plan. For example, we may exchange your PHI with your spouse's health plan for coordination of benefits purposes.
- To a non-BSA health plan for certain administration and operations purposes. We may share your PHI with another health plan or health care provider who has a relationship with you for quality assessment and improvement activities, to review the qualifications of health care professionals who provide care to you, or for fraud and abuse detection and prevention purposes.
- To a family member, friend, or other person involved in your health care if you do not object (or it can be inferred that you do not object) to the sharing of your PHI directly relevant to the person's involvement, and, if you are not present or are unable to object due to incapacity or emergency, the disclosure is in your best interest.
- To comply with an applicable federal, state, or local law, including workers' compensation or similar programs.
- For public health reasons, including (1) to a public health authority for the prevention or control of disease, injury or disability; (2) to a proper government or health authority to report child abuse or neglect; (3) to report reactions to medications or problems with products regulated by the Food and Drug Administration; (4) to notify individuals of recalls of medication or products they may be using; or (5) to notify a person who may have been exposed to a communicable disease or who may be at risk for contracting or spreading a disease or condition.
- To report a suspected case of abuse, neglect or domestic violence, as permitted or required by applicable law.
- To comply with health oversight activities, such as audits, investigations, inspections, licensure actions, and other government monitoring and activities related to health care provision or public benefits or services.
- To the U.S. Department of Health and Human Services to demonstrate our compliance with federal health information privacy law.
- To respond to an order of a court or administrative tribunal.
- To respond to a subpoena, warrant, summons or other legal request if sufficient safeguards, such as a protective order, are in place to maintain your PHI privacy.
- To a law enforcement official for a law enforcement purpose.
- For purposes of public safety or national security.
- To allow a coroner or medical examiner to identify you or determine your cause of death.
- To allow a funeral director to carry out his or her duties.
- To respond to a request by military command authorities if you are or were a member of the armed forces.
- To business associates. We may enter into agreements with entities or individuals to provide services (for example, claims processing services) to one or more of the Health Plans. These service providers, called "business associates," may create, receive, have access to, use, and/or disclose (including to other business associates) PHI in conjunction with the services they provide to the Health Plan(s), provided that we have obtained satisfactory written assurances that the business associates will comply with all applicable Privacy Rules with respect to such Health Plan(s).

- For research purposes. We may use or disclose a “limited data set” of your PHI for certain research purposes.

In no event will we use or disclose PHI that is genetic information for underwriting purposes. In addition to rating and pricing a group insurance policy, this means the Health Plans may not use genetic information (including that requested or collected in a health risk assessment or wellness program) for setting deductibles or other cost sharing mechanisms, determining premiums or other contribution amounts, or applying preexisting condition exclusions.

Certain BSA employees may access your PHI to perform administrative functions on behalf of the Health Plan. Absent your written permission however, BSA employees will only use or disclose your PHI as described above. BSA employees will not access your PHI for reasons unrelated to Health Plan administration. BSA does not use your PHI for any employment-related reason without your express written authorization.

State law may further limit the permissible ways the Health Plan uses or discloses your PHI. If an applicable state law imposes stricter restrictions on the Health Plan, we will comply with that state law.

### **Other Uses and Disclosures of Your PHI**

Before we use or disclose your PHI for any other purpose, we must obtain your written authorization. This includes disclosures of PHI containing psychotherapy notes (except as necessary for the Health Plans’ treatment, payment and healthcare operating purposes), for many marketing purposes and for any sale of your PHI, each as defined under HIPAA regulations.

You may revoke your authorization, in writing, at any time. If you revoke your authorization, the Health Plan will no longer use or disclose your PHI except as described above (or as permitted by any other authorizations that have not been revoked). However, we cannot retrieve any PHI disclosed to a third party in reliance on your prior authorization.

### **Uses and Disclosures Requiring You to have an Opportunity to Object**

The Plan may share PHI with your family, friend or other person involved in your care, or payment for your care. We may also share PHI with these people to notify them about your location, general condition, or death. However, the Plan may disclose your PHI only if it informs you about the disclosure in advance and you do not object (but if there is an emergency situation and you cannot be given your opportunity to object, disclosure may be made if it is consistent with any prior expressed wishes and disclosure is determined to be in your best interests; you must be informed and given an opportunity to object to further disclosure as soon as you are able to do so).

### **Your Rights**

Federal law provides you with certain rights regarding your PHI. Parents of minor children and other individuals with legal authority to make health decisions for a Health Plan participant may exercise these rights on behalf of the participant, consistent with state law.

- Right to request restrictions: You have the right to request a restriction or limitation on the Health Plan’s use or disclosure of your PHI. For example, you may ask us to limit the scope of your PHI disclosures to a case manager who is assigned to you for monitoring a chronic condition. Because we use your PHI only as necessary to pay Health Plan benefits, to administer the Health Plan, and to comply with the law, it may not be possible to agree to your request. *The law does not require the Health Plan to agree to your request for restriction.* However, if we do agree to your requested restriction or limitation, we will honor the restriction until you agree to terminate the restriction or until we notify you that we are terminating the restriction on a going-forward basis.
- You may make a request for restriction on the use and disclosure of your PHI to the Benefits Office. Contact information for the Benefits Office is listed at the end of this Notice. When making such a request, you must specify: (1) the PHI you want to limit; (2) how you want the Health Plan to limit the use, disclosure, or both of that PHI; and (3) to whom you want the restrictions to apply.
- Right to receive confidential communications: You have the right to request that the Health Plan communicate with you about your PHI at an alternative address or by alternative means if you believe

that communication through normal business practices could endanger you. For example, you may request that the Health Plan contact you only at work and not at home.

- You may request confidential communication of your PHI by contacting the Benefits Manager. You should send your written request for confidential communication to the Benefits Office at the address listed at the end of this Notice. We will accommodate all reasonable requests if you clearly state that you are requesting the confidential communication because you feel that disclosure in another way could endanger your safety. You must make sure your request specifies how or where you wish to be contacted.
- Right to inspect and copy your PHI: You have the right to inspect and copy your PHI that is contained in records that the Health Plan maintains for enrollment, payment, claims determination, or case or medical management activities, or that we use to make enrollment, coverage, or payment decisions about you.
- However, we will not give you access to PHI records created in anticipation of a civil, criminal, or administrative action or proceeding. We will also deny your request to inspect and copy your PHI if a licensed health care professional hired by the Health Plan has determined that giving you the requested access is reasonably likely to endanger the life or physical safety of you or another individual or to cause substantial harm to you or another individual, or that the record makes references to another person (other than a health care provider), and that the requested access would likely cause substantial harm to the other person. In the unlikely event that your request to inspect or copy your PHI is denied, you may have that decision reviewed. A different licensed health care professional chosen by the Health Plan will review the request and denial, and we will comply with the health care professional's decision. You may make a request to inspect or copy your PHI by contacting the Benefits Manager. You have a right to choose what portions of your information you want copied and to receive. Your written request should be sent to the Benefits Office at the address at the end of this Notice. We may charge you a fee to cover the costs of copying, mailing or other supplies directly associated with your request. You will be notified of any costs before you incur any expenses.
- Right to amend your PHI: You have the right to request an amendment of your PHI if you believe the information the Health Plan has about you is incorrect or incomplete. You have this right as long as your PHI is maintained by the Health Plan. We will correct any mistakes if we created the PHI or if the person or entity that originally created the PHI is no longer available to make the amendment. You may request amendments of your PHI by contacting the Benefits Manager. Your written request to amend your PHI should be sent to the Benefits Office at the address listed at the end of this Notice. Be sure to include evidence to support your request because we cannot amend PHI that we believe to be accurate and complete. The Plan may deny the request if it is determined that the PHI is: (i) correct and complete; (ii) not created by the Plan or its vendor and/or not part of the Plan's or vendor's records; or (iii) not permitted to be disclosed. Any denial will state the reasons for denial and explain your rights to have the request and denial, along with any statement in response that you provide, appended to your PHI.
- Right to receive an accounting of disclosures of PHI: You have the right to request a list of certain disclosures of your PHI by the Health Plan. The accounting will not include (1) disclosures necessary for treatment, to determine proper payment of benefits or to operate the Health Plan, (2) disclosures we make to you, (3) disclosures permitted by your authorization, (4) disclosures to friends or family members made in your presence or because of an emergency, (5) disclosures for national security purposes or law enforcement, or (6) as part of a limited data set. Your first request for an accounting within a 12-month period will be free. We may charge you for costs associated with providing you additional accountings. We will notify you of the costs involved, and you may choose to withdraw or modify your request before you incur any expenses. You may request an accounting of disclosures of your PHI from the Benefits Office. Contact information for the Benefits Office is listed at the end of this Notice. When making such a request, you must specify the time period for the accounting, which may not be longer than six (6) years and may not include dates prior to April 14, 2003, and the form (e.g., electronic, paper) in which you would like the accounting.
- Right to file a complaint: If you believe your rights have been violated, you should let us know immediately. We will take steps to remedy any violations of the Health Plan privacy policy or of this Notice.

You may file a formal complaint with our Privacy Officer and/or with the United States Department of Health and Human Services at the addresses at the end of this Notice. You should attach any documents or evidence that supports your belief that your privacy rights have been violated. We take your complaints very seriously. BSA prohibits retaliation against any person for filing such a complaint. Complaints should be sent to:

Brookhaven Science Associates  
Brookhaven National Laboratory  
Benefits Office, Bldg. 400B  
Upton, NY 11973-5000  
(631) 344-2881

U.S. Department of Health and Human Services  
Office of Civil Rights  
200 Independence Avenue, S.W.  
Washington, D.C. 20201  
[www.hhs.gov/ocr/hipaa/](http://www.hhs.gov/ocr/hipaa/)

Attn: Privacy Officer

#### **Additional Information About This Notice**

- **Changes to this Notice:** We reserve the right to change the Health Plan's privacy practices as described in this Notice. Any change may affect the use and disclosure of your PHI already maintained by the BSA Health Plan, as well as any of your PHI that the Health Plan may receive or create in the future. If there is a material change to the terms of this Notice, you will receive a revised Notice.
- **How to obtain a copy of this Notice:** You can obtain a copy of the current Notice on the BSA Intranet or by writing to the Benefits Office at the address listed above.
- **No guarantee of employment:** This Notice does not create any right to employment for any individual, nor does it change BSA's right to discharge any of its employees at any time, with or without cause.
- **No change to Health Plan benefits:** This Notice explains your privacy rights as a current or former participant in the BSA Health Plan. The Health Plan is bound by the terms of this Notice as they relate to the privacy of your protected health information. However, this Notice does not change any other rights or obligations you may have under the Health Plan. You should refer to the Health Plan documents for additional information regarding your Health Plan benefits.

#### **Notification of a Privacy Breach**

The Plan must notify you within 60 days of discovery of a breach. A breach occurs if unsecured PHI is acquired, used or disclosed in a manner that is impermissible under the Privacy Rules, unless there is a low probability that the PHI has been compromised.

#### **Contact Information**

If you have any questions regarding this Notice, please contact the Benefits Office at (631) 344-2881.