

***Summary of Material Modifications to the
Jim Ellis Atlanta, Inc. Health and Welfare Plan***

This Summary of Material Modifications (“SMM”) modifies some of the information contained in the Summary Plan Description (“SPD”) for the Jim Ellis Atlanta, Inc. Health and Welfare Plan (the “Plan”) that describes the Plan as of November 1, 2016.

Note: In the event of any discrepancy between this SMM and the SPD, the provisions of this SMM will govern.

Modification(s)

Effective as of January 1, 2020, pursuant to IRS Notice 2020-29 to assist with the nation’s response to the 2019 Novel Coronavirus outbreak (COVID-19) to provide increased flexibility with respect to mid-year health plan election changes, Section 4 of the Summary Plan Description (SPD), Eligibility and Participation Requirements, is amended to permit, under certain circumstances, prospective changes as follows:

1. To make a new election on a prospective basis, if the employee initially declined to elect health coverage sponsored by the employer;
2. To revoke an existing election and make a new election to enroll in different health coverage sponsored by the employer on a prospective basis; and
3. To revoke an existing election on a prospective basis, provided that the employee attests in writing that the employee is enrolled, or immediately will enroll, in other health coverage not sponsored by the employer.

Jim Ellis Atlanta, Inc. Section 125 Cafeteria Plan Update

Effective as of January 1, 2020, pursuant to IRS Notice 2020-29 to assist with the nation’s response to the 2019 Novel Coronavirus outbreak (COVID-19) to provide increased flexibility with respect to mid-year health plan election changes, below prospective changes are permitted as follows:

1. To make a new election on a prospective basis, if the employee initially declined to elect health coverage sponsored by the employer;
2. To revoke an existing election and make a new election to enroll in different health coverage sponsored by the employer on a prospective basis; and
3. To revoke an existing election on a prospective basis, provided that the employee attests in writing that the employee is enrolled, or immediately will enroll, in other health coverage not sponsored by the employer.

****The Jim Ellis Atlanta, Inc. Section 125 Cafeteria Plan (including the former option to make pre-tax contributions to a health savings account) is not covered by ERISA, nor is it part of the Jim Ellis Atlanta, Inc. Health and Welfare Plan.****