

NATIONAL STABILIZATION AGREEMENT OF THE
SHEET METAL INDUSTRY TRUST FUND

AMENDMENT #2 TO THE
AMENDED AND RESTATED **ACTIVE** RULES AND REGULATIONS
AS OF JULY 1, 2025

and

AMENDMENT #2 TO THE
AMENDED AND RESTATED **RETIREE** RULES AND REGULATIONS
AS OF JULY 1, 2025

HIPAA Privacy Rule

Whereas, on June 18, 2025, the U.S. District Court for the Northern District of Texas issued a nationwide order declaring unlawful and vacating most of the *HIPAA Privacy Rule to Support Reproductive Health Care Privacy* (“Final Rule”) at 89 Federal Register 32976 (April 26, 2024); and

Whereas, the Plan was previously amended in the July 1, 2025 Restated Plan Documents and the January 1, 2025 Active Plan Summary Plan Description to comply with the Final Rule; and

Now therefore, the undersigned Trustees of the National Stabilization Agreement of the Sheet Metal Industry Trust Fund (“SASMI”) resolve to amend the amended and restated Rules and Regulations as of July 1, 2025 and the January 1, 2025 Active Plan Summary Plan Description as set forth below, to be effective as provided in the amended section:

Amendment

The amended and restated Active Rules and Regulations, Article XVII, “Administration of the Plan,” Section 5, and Retiree Rules and Regulation, Article X, Section 6 is amended as follows:

PRIVACY OF PROTECTED HEALTH INFORMATION.

...

(b) Unauthorized Use or Disclosure. Protected Health Information will only be used or disclosed as permitted or required by SASMI documents or as required by law.

(c) Subcontractors and Agents. The Trustees and SASMI will require each agent and subcontractor to whom they provide Protected Health Information to agree to written contractual provisions that the agent or subcontractor will be subject to the

same restrictions and conditions that apply to SASMI with respect to Protected Health Information.

(d) **Permitted Purposes.** Protected Health Information will not be used or disclosed for employment-related actions and decisions or in connection with any other benefit or employee benefit plan of the employers who contribute to SASMI.

(f) **Reporting.** The Trustees and SASMI will report and record uses or disclosures of Protected Health Information that are inconsistent with those permitted by law of which they become aware.

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The January 1, 2025 Active Plan Summary Plan Description, Article V. “Privacy and Security” is amended as follows:

A. Privacy of Protected Health Information

In accordance with the HIPAA Privacy Rule in 45 C.F.R. Part 160 and Subparts A and E of Part 164, the Trustees and SASMI will only disclose Protected Health Information in accordance with the following rules:

- (a) **Hybrid Entity.** SASMI is designated a “hybrid entity” as defined under 45 CFR §164.504. As such, the rules in subsections (b) to (n) below apply only with respect to the group health benefit operations of SASMI, directly or in relation to another covered entity under HIPAA.
- (b) **Unauthorized Use or Disclosure.** Protected Health Information will only be used or disclosed as permitted or required by SASMI documents or as required by law.
- (c) **Subcontractors and Agents.** The Trustees and SASMI will require each agent and subcontractor to whom they provide Protected Health Information to agree to written contractual provisions that the agent or subcontractor will be subject to the same restrictions and conditions that apply to SASMI with respect to Protected Health Information.
- (d) **Permitted Purposes.** Protected Health Information will not be used or disclosed for employment-related actions and decisions or in connection with any other benefit or employee benefit plan of the Employers who contribute to SASMI.
- (e) **Reporting.** The Trustees and SASMI will report and record uses or disclosures of Protected Health Information that are inconsistent with those permitted by law of which they become aware.

(g) Protected Health Information Availability. Protected Health Information will be made available to Active Participants and Retirees at the SASMI office so that they can inspect and copy their own individual Protected Health Information.

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Amendment approved and signed on the ____ day of _____, 2025.

MANAGEMENT TRUSTEES

UNION TRUSTEES

