ACTIONS TAKEN AND RESOLUTIONS ADOPTED BY

[Employer Name]

Each undersigned, being authorized by [Employer Name](the "Employer") to adopt amendments to one or more welfare benefit plans maintained by the Employer, does hereby adopt the following Resolution and Amendment;

WHEREAS, the Employer previously adopted a Code Section 125 Cafeteria Plan (the “Plan”);

WHEREAS, the Plan allows the Employer to amend the Plan;

WHEREAS, the Internal Revenue Service has expanded the application of permitted change rules for cafeteria plans under Notice 2014-55, thereby enabling cafeteria plan participants to prospectively revoke their election under the Cafeteria Plan for group health coverage that provides minimum essential coverage (except any Health FSA coverage) if certain events occur;

WHEREAS, the Employer desires to amend the Plan as set forth in the attached Summary of Material Modifications to allow Plan participants to make such election changes as permitted by the Internal Revenue Service’s Notice 2014-55;

WHEREAS, each undersigned warrants and represents that each has the necessary authority to act on behalf of the Employer to adopt such amendments;

NOW, THEREFORE, BE IT RESOLVED that each undersigned has reviewed the attached Summary of Material Modifications and hereby approves the adoption of the amendment as set forth therein;

BE IT FURTHER RESOLVED, that the officers of the Employer are authorized and directed to take any and all action as may be necessary to effectuate this Resolution.

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| By \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
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| By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
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**SUMMARY OF MATERIAL MODIFICATIONS TO THE CAFETERIA PLAN**

***This document summarizes important changes to your Cafeteria Plan******(the “Plan”). If you have any questions regarding the changes summarized in this Summary of Material Modifications (“SMM”), you should contact [insert appropriate contact]. You should keep a copy of this SMM with your Summary Plan Description for future reference.***

This SMM is effective {insert effective date}.

Notwithstanding anything to the contrary in the Summary Plan Description, employees may prospectively revoke an election of group coverage under the Plan in the following situations.

1. *An employee who was expected to average 30 hours of service or more per week in a month experiences an employment status change (such as change from full-time to part-time) such that the employee is no longer expected to average 30 hours or more per week each month but does not otherwise lose eligibility under a group health plan that provides minimum essential coverage (“MEC”).* In this situation, the employee may prospectively revoke their election under the Plan with respect to the MEC offered through the Plan provided that (i) the employee makes his or her requested election change within the Plan’s election change period and (ii) the employee certifies his or her intent to enroll the employee and any other dependents whose coverage is revoked in another plan that provides minimum essential coverage that is effective no later than the first day of the second month following the month that includes the date the original coverage is revoked.
2. *Employee is eligible to enroll in a Qualified Health Plan offered in the Marketplace (“Qualified Health Plan”) during the Marketplace’s special or annual enrollment period.* In this situation, the employee will be permitted to prospectively revoke his or her election with respect to a group health plan that provides minimum essential coverage provided that (i) the employee makes his or her requested election change within the Plan’s election change period and (ii) the employee certifies his or her intent to enroll the employee and any other dependents whose coverage is revoked in new coverage under a Qualified Health Plan that is effective beginning no later than the day immediately following the last day of the original coverage that is revoked.