

February 22, 1983

(Opinion issued in letter form; name and address deleted)

Re: Opinion of Trustees  
Resolution of Dispute  
Case No. 81-185

Pursuant to Article IX of the United Mine Workers of America 1950 Benefit Plan and Trust, and under the authority of an exemption granted by the United States Department of Labor, the Trustees have reviewed your Request for Advisory Opinion concerning coverage for replacement of a lost hearing aid under the Employer Benefit Plan.

Under Article III. A. (7) (d) of the Employer's Benefit Plan, benefits are provided for replacement hearing aids only if a new aid is needed because of a change in the Beneficiary's condition, or if the aid no longer functions properly. There is no provision in the Employer's Plan for replacement of lost hearing aids. Because the requirements for replacement have not been met, the Employer is not responsible for the provision of benefits to replace the lost hearing aid.

Sincerely,

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Harrison Combs, Chairman

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John J. O'Connell, Trustee

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Paul R. Dean, Trustee