

Opinion of Trustees  
Resolution of Dispute  
Case No. 81-  
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April 26, 1983

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

Re: Opinion of Trustees  
Resolution of Dispute  
Case No. 81-200

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 benefits under the Employer's Benefit Plan for charges for administration of anesthesia.

Under Article III, A. (3)(d) of the Employer's Plan, benefits are provided for the administration of anesthetics provided either in or out of the hospital in surgical or obstetrical cases, when administered and billed by a physician, other than the operating surgeon or his assistant, who is not an employee of, nor compensated by, a hospital laboratory, or other institution. Because the anesthesia was administered by the operating surgeon, the Employer is not responsible for payment of charges for the administration of anesthesia.

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