

July 30, 1984

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

Re: Opinion of Trustees  
Resolution of Dispute  
Case No. 81-476

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 Resolution of Dispute concerning payment of charges for the treatment of obesity.

According to the information submitted, the disputed medical services, which were provided by a diet center relative to a diagnosis of exogenous obesity, consisted of an EKG, blood studies and a physical exam. The physician who ordered and/or provided these services established that you weighed 215 1/2 pounds and that your desirable weight is 160 pounds. This physician concluded that it is in your best interest, for your health, to be on a diet.

Under Article III A. (11) (a) 25. of the Employer's Benefit Plan, charges for the treatment of obesity are excluded from coverage except when a pathological, morbid form of severe obesity (200% or more of desirable weight) exists and prior approval is obtained from the Plan Administrator. According to the information provided, you are not 200% or more of your desirable weight. Your Plan Administrator has correctly determined that the physician services you received relative to the treatment of your obesity are not covered benefits under the Plan.

Because you do not exceed 200% of your desirable weight, your Employer is not responsible for the provision of benefits for the treatment of your exogenous obesity.

Sincerely,

---

Harrison Combs, Chairman

---

John J. O'Connell, Trustee

---

Paul R. Dean, Trustee