

November 25, 1985

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

RE: Opinion of Trustees
ROD No. 84-079

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 charges resulting from podiatric care your wife received.

According to copies of claim forms you have provided, the dispute you have with your former Employer involves its denial of coverage for services rendered on June 12, 1985 by a podiatrist which consisted of the debridement of keratosis on your wife's right and left feet.

Article III A 3 (n) of the Employer Benefit Plan provides that, "routine care of the feet such as trimming of nails, the treatment of corns, bunions (except capsular or bone and surgery therefor) and calluses is excluded."

In support of your claim, your podiatrist provided a letter dated September 10, 1985 in which he described the services provided. According to a Funds' consultant who has reviewed the facts of this dispute, keratosis is any horny growth, such as a wart or callosity, and the debridement of a keratosis or callus is routine foot care which is specifically excluded from coverage under your Employer Benefit Plan. Accordingly, your Employer is not responsible for payment of the charges resulting from that service.

Sincerely,

Joseph P. Connors, Sr., Chairman

Paul R. Dean, Trustee

William B. Jordan, Trustee

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William Miller, Trustee

Donald E. Pierce, Jr., Trustee