

RESOLUTION NO. 40-2020
August 13, 2020

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CAMBRIA
COMMUNITY SERVICES DISTRICT AUTHORIZING THE GENERAL
MANAGER TO EXECUTE AN AMENDMENT TO THE HEALTH
REIMBURSEMENT ARRANGEMENT EMPLOYEE BENEFIT PLAN
IMPLEMENTING PROVISIONS OF THE CARES ACT

WHEREAS, the Cambria Community Services District offers its employees a Health Reimbursement Arrangement Plan as an employee benefit (the "HRA Plan"); and

WHEREAS, in March 2020 Congress passed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act); and

WHEREAS, in order to allow for over the counter medications and menstrual products be included in the list of eligible expenses and be included in the Employee Benefit Plan, for such expenses after December 31, 2019, it is necessary to adopt an Amendment to the HRA Plan;

BE IT RESOLVED that the Board of Directors of the Cambria Community Services District does hereby authorize the General Manager to execute the Amendment to the Health Reimbursement Arrangement Employee Benefit Plan, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference.

PASSED AND ADOPTED this 13th day of August, 2020.

DocuSigned by:

Harry Farmer

Harry Farmer, President
Board of Directors

ATTEST:

APPROVED AS TO FORM:

DocuSigned by:

Haley Dodson

Haley Dodson, Deputy District Clerk

DocuSigned by:

Timothy Carmel

Timothy J. Carmel, District Counsel

AMENDMENT FOR CARES ACT

ARTICLE 1

PREAMBLE; DEFINITIONS

- 1.1 **Adoption of Amendment.** The Employer adopts this Amendment to implement provisions of the Act which affect the Plan.
- 1.2 **Superseding of inconsistent provisions.** This Amendment supersedes the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.
- 1.3 **Construction.** Except as otherwise provided in this Amendment, any “Section” reference in this Amendment refers only to this Amendment and is not a reference to the Plan. The Article and Section numbering in this Amendment is solely for purposes of this Amendment and does not relate to the Plan article, section, or other numbering designations.
- 1.4 **Effect of restatement of Plan.** If the Employer restates the Plan then this Amendment shall remain in effect after such restatement unless the provisions in this Amendment are restated or otherwise become obsolete (e.g., if the Plan is restated onto a plan document which incorporates these provisions).
- 1.5 **Definitions.** Except as otherwise provided in this Amendment, terms defined in the Plan will have the same meaning in this Amendment. The following definitions apply specifically to this Amendment:
 - A. The “**Act**” is the Coronavirus Aid, Relief, and Economic Security Act, also known as the CARES Act. This Amendment shall be interpreted and applied to comply with the Act.

ARTICLE 2

IDENTIFYING INFORMATION; EMPLOYER ELECTIONS

- 2.1 **Identifying information.**
 - A. Name of Employer: Cambria Community Services District
 - B. Name of Plan: Cambria Community Services District HRA Plan
- 2.2 **Medical Expenses.** Will the Plan reimburse any or all of the following for Participants:
 - (a) **Over the Counter Medications.**
 - (b) **Menstrual products.**
- 2.2 **Effective Date.** This Amendment is effective as of March 27, 2020. Expenses must be incurred after *December 31, 2019*.

ARTICLE 3

MEDICAL EXPENSES REIMBURSED

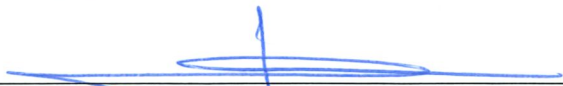
- 3.1 **Application.** The Plan’s definition of “Medical Expenses” under the Plan is amended by the addition of the following provisions as selected at Section 2.2.
- 3.2 **Over the Counter Medications.** Notwithstanding anything in the Plan to the contrary, a Participant may be reimbursed for the cost of any medicine or drug for medical care, within the meaning of the term “medical care” as defined in Code Section 213(d) and the rulings and Treasury regulations thereunder, including those medicines or drugs that are not prescribed as also defined. Insulin remains a covered expense.
- 3.3 **Menstrual Products.** A Participant may be reimbursed for the purchase of menstrual care products as defined in Code Section 223(d)(2)(D) and as authorized in Code Section 106(f).

* * * * *

This Amendment has been executed this 13TH day of August, 2020.

Name of Plan: Cambria Community Services District HRA Plan

Name of Employer: Cambria Community Services District

By: 

EMPLOYER
John Weigold
General Manager

CERTIFICATE OF ADOPTING RESOLUTION

The undersigned authorized representative of Cambria Community Services District (the Employer) hereby certifies that the following resolution was duly adopted by Employer on 8/13/2020, and that such resolution has not been modified or rescinded as of the date hereof;

RESOLVED, the Amendment to the Cambria Community Services District HRA Plan for the CARES Act (the Amendment) is hereby approved and adopted and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Plan Administrator the Amendment and to take any and all actions as it may deem necessary to effectuate this resolution.

The undersigned further certifies that attached hereto is a copy of the Amendment approved and adopted in the foregoing resolution.

Date: 8-13-2020

Signed: 

John Weigold, General Manager
[print name/title]

**SUMMARY OF MATERIAL MODIFICATIONS
for the**

Cambria Community Services District HRA Plan
(Name of Plan)

**I
INTRODUCTION**

This is a Summary of Material Modifications regarding the Cambria Community Services District HRA Plan ("Plan"). This is merely a summary of the most important changes to the Plan and information contained in the Summary Plan Description ("SPD") previously provided to you. It supplements and amends that SPD so you should retain a copy of this document with your copy of the SPD. If you have any questions, contact the Administrator. If there is any discrepancy between the terms of the Plan, as modified, and this Summary of Material Modifications, the provisions of the Plan will control.

**II
SUMMARY OF CHANGES**

This amendment is effective March 27, 2020 for expenses incurred after December 31, 2019.

You may request reimbursement for the purchase of "over the counter" drugs without a prescription.

You may request reimbursement of the purchase of menstrual care products, including tampons, pads, and other products.