

## SUMMARY OF MATERIAL MODIFICATION

The following changes are being made, effective on the dates indicated, to the specified benefit plans sponsored by Cingular Wireless.

**1. As clarification of the existing rules, all types of short-term disability claims will require you to be under the care of an appropriate physician and to comply with the appropriate recommended treatment in order to receive benefits from the short-term disability plan. For example, if you have a disability claim for a mental disorder, i.e. anxiety, depression, etc., you must be under the care of a licensed mental health professional to have your claim approved. Any duly licensed mental health care professional will be deemed to be a Physician under the terms of the Disability Plan.**

- Effective date: 8/1/03
- Benefit plan or program: EDGE, SWBW and SNET Short Term Disability (STD) Plans
- You must be under the care of a licensed mental health professional to be eligible for STD benefits for mental health or chemical dependency claims.
- Appropriate care and treatment means medical care and treatment that meets the following criteria:
  1. It is received from a Physician whose medical training and clinical experience are suitable for treating your Disability;
  2. It is necessary to meet your basic health needs and is of demonstrable medical value;
  3. It is consistent in type, frequency and duration of treatment with relevant guidelines of national medical research and health care coverage organizations and governmental agencies;
  4. It is consistent with the diagnosis of your condition; and
  5. Its purpose is maximizing your medical improvement.
- Definition of a Physician

Physician is defined as a person licensed to practice medicine in the jurisdiction where such services are performed or any other person whose services, according to applicable law, must be treated as physician's services. Each such person must be licensed in the jurisdiction where he performs the service and must act within the scope of that license.

He must also be certified and/or registered if required by such jurisdiction. However, it is important to keep in mind that in order to receive appropriate care and treatment, the Physician's medical training and clinical specialty must be appropriate for treating the particular disability, e.g. a dermatologist cannot certify a disability for a heart attack.

Practitioners other than medical doctors may be recognized as "Physicians" if required by applicable law.

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**2. Extend the exclusion for disabilities caused by non-medically necessary medical procedures (cosmetic surgery, voluntary sterilization etc.) to include complications caused by such procedures.**

- Effective date: 8/1/03
- Benefit plan or program: EDGE Short Term Disability (STD) Plan
- You will not be eligible for STD benefits for absences due to a medical complication from a non-medically necessary procedure.

**3. Clarify the existing requirement that you must be “actively at work” to file a claim (including filing for an extension) for disability benefits. “Actively at Work” excludes persons on suspension, incarcerated persons, and those who are terminated.**

- Effective date - 8/1/03
- Benefit plan or program: EDGE, SWBW and SNET Short Term Disability (STD) Plans
- You may not file any STD claims or request an extension while suspended, regardless of whether the date of disability occurred prior to or during suspension period.
  - If the suspension is lifted and does not result in termination, when you return to work, you may then file a claim for any disability that occurred prior to or during the suspension period within the specified time limit.
  - The limitation of time to file a claim will not accrue during a suspension period.
  - You may not file any STD claim or request an extension after you are terminated or if you are incarcerated (in jail or in prison).

**4. Add a travel exclusion while you are on short-term disability.**

- Effective date: 8/1/03
- Benefit plan or program: EDGE Short Term Disability (STD) Plan. Bargained Plan already prohibits such action.
- While on an approved STD period, you may not leave home to travel out of town for any reason without explicit approval from your Claims Administrator.

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### **5. Add a second job exclusion while you are on short-term disability.**

- Effective date: 8/1/03
- Benefit plan or program: EDGE Short Term Disability (STD) Plan. Bargained Plan already prohibits such action.
- You may not work at any other full- or part-time employment with another employer or work for a self-owned or family-owned business while receiving STD benefits from Cingular. Your benefits will cease immediately if it is determined that you are engaged in other employment.

### **6. Clarify the existing policy that when you have exhausted short-term disability and are incapable of returning to work, you should not be placed on a leave of absence. Your employment will be terminated and you will be eligible to apply for Long Term Disability (LTD) benefits, unless otherwise required by law.**

- Effective date - 8/1/03
- Benefit plan or program: EDGE, SWBW and SNET Long Term Disability (LTD) Plans
- If you are disabled and receive either 6 months (EDGE) or 12 month (SWBW or SNET) benefits under short term disability and continue to be disabled (and, therefore, unable to return to work), your employment status will be terminated. You will be eligible to apply for LTD benefits.

### **7. Modify the mental health benefit claim period under the Long Term Disability plan from an unlimited period of time to a 24-month lifetime limit, unless still hospitalized when the 24-month period is reached. This will not apply to mental health disabilities with organic causes.**

- Effective date: 8/1/03
- Benefit plan or program: EDGE, SWBW and SNET Long Term Disability (LTD) Plans
- If you have a mental health claim under the LTD plan, the maximum lifetime benefit period will 24 months. If hospitalized when the 24-month period is reached, benefits will continue only until the hospital confinement ends.
- This provision does not apply to mental health disabilities with organic causes. Such disabilities will continue as long as you meet the plan's requirements.

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### **8. Change the definition for the LTD plan from “own occupation” to “any occupation” at 24 months instead of 36 months.**

- Effective date – 8/1/03
- Benefit plan or program: EDGE Long Term Disability (LTD) Plan
- You will be eligible for LTD benefits if it is determined by the Claims Administrator that you are unable to work at your “own occupation” for the first 24 months of your disability. After the first 24 months, you will continue to be eligible for LTD benefits only if it is determined by the Claims Administrator that you are unable to work at “any occupation.”

### **9. Add an exclusion to the Medical Plan for surgical treatment of obesity, severe obesity, or morbid obesity.**

- Effective date: 8/1/03
- Benefit plan or program: EDGE, SWBW and SNET Medical Plans
- You will not receive any medical benefits under the Plan for weight-loss surgeries, including, but not limited to, gastric by-pass, gastric balloons, jejunal bypass, and other bariatric procedures.

### **10. Increase the enrollment window for enrolling newborn babies for medical plan coverage from 31 days to 60 days.**

- Effective date: 8/1/03
- Benefit plan or program: EDGE, SWBW and SNET Medical Plans
- You must enroll a newborn baby within 60 days for coverage in the current plan year. Otherwise, the new dependent will not be eligible to be enrolled for coverage until annual enrollment for the next plan year.

The previous paragraphs of this document serve as a Summary of Material Modifications (SMM). This modifies the provisions of the Cingular Summary Plan Description. It should be kept with your important papers.

As always, Cingular reserves the unilateral right to amend, modify or terminate any of its benefit plans at any time for any reason without notice. Any changes or modifications can be applied to all participants or only to certain groups, such as former employees or retirees. This reservation also includes the right to change the amount of any required employee, former employee, dependent, survivor or retiree contributions or premiums or any deductibles or copays before or after the date of the employee's termination of employment. Nothing shall be deemed or construed as a lifetime right to any benefits or level of benefits. This means, for example, that no individual will acquire a lifetime right to a certain level of benefits because that level of benefits was in place at the time of his or her retirement.