

## **Disability Income for Active Employees Limitations and Exclusions**

Benefits shall not be payable for:

- A. Any Total Disability of an Employee whose coverage is first effective on or after the Plan Effective Date, which commences during the first six months that the Employee's coverage is in force, if the Total Disability is caused or contributed to by, or is a consequence of, an Injury or Sickness for which the Employee received medical treatment, or services, or took prescribed drugs or medicines during the three-month period immediately prior to the effective date of such coverage. If the Employee was required to provide Evidence of Insurability as described in Section G of Article II above, the three-month period will be the three months immediately prior to the date the Employee's application for coverage was signed. This exclusion shall also apply to any election for increase in coverage beginning on the first day such increase is in effect.

This exclusion shall not be applicable:

1. After the Employee has been Actively at Work for six consecutive months;
  2. After the Employee's coverage has been continuously in force for 12 months; or
  3. Unless an Employee elected to continue coverage during Leave Without Pay status by direct payment of premiums, upon reinstatement of an Employee's coverage which was suspended due to a Leave Without Pay status, provided that immediately prior to the effective date of such suspension the Employee had been Actively at Work for six consecutive months or the Employee's coverage had been continuously in force for 12 months. If immediately prior to the effective date of such suspension either the Employee had not been Actively at Work for six consecutive months or the Employee's coverage had not been continuously in force for 12 months, following reinstatement of coverage the Employee must complete the balance of any such period not previously satisfied before this exclusion will not be applicable.
- B. Any Total Disability during which the Employee is not under the regular care and attendance of an Approved Practitioner and is not receiving appropriate care which meets national and community medical standards or is not following the treatment prescribed by an Approved Practitioner which would be expected to restore the Employee's ability to engage in gainful employment;
- C. Any Total Disability resulting from war or any act of war, declared or not;
- D. Any Total Disability resulting from injuries sustained or sickness occurring while the Employee is in the service of the armed forces of any country or international authority;
- E. Any Total Disability resulting from intentionally self-inflicted injuries (occurring while the Employee is sane or insane);
- F. Any Total Disability in excess of: (1) For Election I, five months, or (2) For Election II, 24 months, if such Total Disability is due to neuroses, psychoneuroses, psychopathies, psychoses, or any other mental and emotional diseases or disorders of any type unless the Employee is confined due to the foregoing cause or causes in a hospital or institution licensed to provide care and treatment for such cause or causes, in which case benefits will continue until release from such hospital or institution, subject to the Maximum Benefit Period;

- G. Any disability income benefit provided by an Election for which the Employee has not applied or is not making his or her required contribution at the time of his or her Total Disability;
- H. Any Total Disability of an Employee who is working or employed in any capacity;
- I. Any Total Disability resulting from or contributed to by any Sickness or Injury which occurs while the Employee is engaged in, or which results from, arises out of or is related to, any type of felonious activity.
- J. Any Total Disability caused by, resulting from or substantially contributed to by the Employee being intoxicated by reason of alcohol or drug use, or a combination thereof. "Intoxication" shall have the meaning assigned in Section 49.01, Texas Penal Code, as may be amended. Conviction of a crime related to intoxication is not necessary for a determination of Total Disability resulting from intoxication. This exclusion is applicable whether or not the Total Disability is related to the operation of a motor vehicle.
- K. Any Total Disability resulting from Sickness or Injury which results from the Employee's being an organ donor.
- L. Any Total Disability in excess of 24 months unless the Employee is Totally Disabled from performing the usual tasks of any gainful occupation as certified by an Approved Practitioner.