



October 2021

The Medicare Modernization Act of 2003 mandates that employer plan sponsors disclose to all Medicare-eligible individuals with prescription drug coverage under their plan (this includes active employees, retirees and their dependents) whether such coverage is "creditable." Creditable means that the plan is at least actuarially equivalent to Medicare Part D coverage. Your prescription drug coverage through the Occidental Chemical Corporation Medical Plan ("Plan") is "Non-Creditable." Enclosed is your annual Notice of Non-Creditable Coverage.

For more information, please refer to the enclosed Notice.

NOTICE OF NON-CREDITABLE COVERAGE

Important Notice from Occidental Chemical Corporation About Your Prescription Drug Coverage and Medicare

Please read this notice carefully and keep it where you can find it. This notice has information about your current prescription drug coverage with Occidental Chemical Corporation (Oxy) and about your options under Medicare's prescription drug coverage. This information can help you decide whether or not you want to join a Medicare drug plan. Information about where you can get help to make decisions about your prescription drug coverage is at the end of this notice.

There are three important things you need to know about your current coverage and Medicare's prescription drug coverage:

1. Medicare prescription drug coverage became available in 2006 to everyone with Medicare. You can get this coverage if you join a Medicare Prescription Drug Plan or join a Medicare Advantage Plan (like an HMO or PPO) that offers prescription drug coverage. All Medicare drug plans provide at least a standard level of coverage set by Medicare. Some plans may also offer more coverage for a higher monthly premium.
2. Oxy has determined that the prescription drug coverage offered under your Oxy plan is, on average for all plan participants, NOT expected to pay out as much as the standard Medicare prescription drug coverage pays. Therefore, your coverage is considered Non-Creditable Coverage. This is important because, most likely, you will get more help with drug costs if you join a Medicare drug plan, than if you only have prescription drug coverage through your Oxy plan. This also is important because it may mean that you may pay a higher premium (a penalty) if you do not join a Medicare drug plan when you first become eligible.
3. You can keep your current coverage from Oxy. However, because your coverage is non-creditable, you have decisions to make about Medicare prescription drug coverage that may affect how much you pay for that coverage, depending on if and when you join a drug plan. When you make your decision, you should compare your current coverage, including what drugs are covered, with the coverage and cost of the plans offering Medicare prescription drug coverage in your area. Read this notice carefully - it explains your options.

When Can You Join A Medicare Drug Plan?

You can join a Medicare drug plan when you first become eligible for Medicare and each year from October 15th to December 7th. However, if you decide to drop your current coverage with Oxy, since it is employer/union sponsored group coverage, you will be eligible for a two (2) month Special Enrollment Period (SEP) to join a Medicare drug plan; however you also may pay a higher premium (a penalty) because you did not have creditable coverage under Oxy.

When Will you Pay A Higher Premium (Penalty) To Join A Medicare Drug Plan?

Since the coverage under Oxy is not creditable, depending on how long you go without creditable prescription drug coverage, you may pay a penalty to join a Medicare drug plan. Starting with the end of the last month that you were first eligible to join a Medicare drug plan but didn't join, if you go 63 continuous days or longer without prescription drug coverage that's creditable, your monthly premium may go up by at least 1% of the Medicare base beneficiary premium per month for every month that you did not have that coverage. For example, if you go nineteen months without creditable coverage, your premium may consistently be at least 19% higher than the Medicare base beneficiary premium. You may have to pay this higher premium (penalty) as long as you have Medicare prescription drug coverage. In addition, you may have to wait until the following October to join.

What Happens To Your Current Coverage If You Decide to Join A Medicare Drug Plan?

Your current Oxy coverage may pay for other health expenses, in addition to prescription drugs. You will still be eligible to receive all of your current health and prescription drug benefits if you choose to also enroll in a Medicare drug plan. If you have Medicare and decide to enroll in Medicare Part D prescription drug coverage, please be advised that you cannot cancel only your Oxy prescription drug coverage without canceling your entire medical coverage under the Oxy plan. If you cancel coverage under the Oxy plan, in most cases you can only re-enroll in the Oxy plan later if you have a change in status event and you notify Oxy within 31 days of the event. Also, if you are a surviving spouse of a retiree, in most cases you cannot re-enroll at a later date once you cancel your medical coverage under the plan.

For More Information About This Notice Or Your Current Prescription Drug Coverage...

You may contact our office at 800-699-6903. **NOTE:** You will get this notice each year. You will also get it before the next period you can join a Medicare drug plan, and if this coverage through Oxy changes. You also may request a copy of this notice at any time.

For More Information About Your Options Under Medicare Prescription Drug Coverage...

More detailed information about Medicare plans that offer prescription drug coverage is in the "*Medicare & You*" handbook. You'll get a copy of the handbook in the mail every year from Medicare. You may also be contacted directly by Medicare drug plans. For more information about Medicare prescription drug coverage:

- Visit www.medicare.gov
- Call your State Health Insurance Assistance Program (see the inside back cover of your copy of the *Medicare & You* handbook for their telephone number) for personalized help,
- Call 1-800-MEDICARE (1-800-633-4227). TTY users should call 1-877-486-2048.

If you have limited income and resources, extra help paying for Medicare prescription drug coverage is available. For information about this extra help, visit Social Security on the web at www.socialsecurity.gov, or call them at 1-800-772-1213 (TTY 1-800-325-0778).

Date: October 1, 2021

Name of Entity/Sender: Occidental Chemical Corporation

Contact--Position/Office: Benefits Department

Address: 4500 South 129th East Avenue, Tulsa OK, 74134-5870

Phone Number: 800-699-6903

OCC Non-Creditable Represented