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March 26, 2014

# FILED BY ECF

Hon. Kathy A. Surratt-States U.S. Bankruptcy Court, Eastern District of Missouri Thomas F. Eagleton U.S. Courthouse 111 S. 10th St. St. Louis, MO 63102

Re: <u>In re Patriot Coal Corporation</u>, No. 12-51502 Correspondence from Roger Wyciskalla

Dear Judge Surratt-States:

As you will recall, the Reorganized Debtors' objection to Mr. Wyciskalla's \$750,000 priority claim in these cases was heard by the Court on February 25, 2014 and sustained in an order entered on March 11, 2014.

In his letter dated March 12, 2014, which was entered on the docket on March 25, Mr. Wyciskalla appears to be claiming that he will not have insurance coverage after March 31. That statement is not correct.

Attached are the forms of several notices that were sent by Patriot to Mr. Wyciskalla and other similarly situated beneficiaries earlier this year. As these documents make clear, Patriot has changed plan administrators, but Mr. Wyciskalla and other Coal Act beneficiaries will experience no change or reduction in the benefits they are entitled to receive pursuant to the Coal Act.

We would be pleased to provide any additional information or clarification that the Court may request. To the extent that Mr. Wyciskalla's letter is construed as a request for relief, however, we respectfully suggest that it be denied.

Very truly yours,

/s/ Brian C. Walsh

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Attachments

cc: Mr. Roger Wyciskalla (w/ att.) Laura Uberti Hughes, Esq.



2-14-2014

John Smith
1234 Main Street
Anywhere, USA 63101

#### Dear John Smith:

Effective **April 1, 2014**, Patriot Coal is transitioning the administration of its Coal Act Medicare-eligible retiree medical program from its current administrator, UnitedHealthcare, to your previous administrator, UMR. You and your covered spouse or dependent (as applicable) will receive a new UMR identification (ID) card in late March 2014. You may start using your UMR ID card on April 1, 2014. Since Caremark will continue to be your prescription drug benefit administrator, **you should continue using your current CVS Caremark/SilverScript ID card to get your prescriptions filled**.

### **IMPORTANT!**

Your benefits will remain the same. There will be *no changes* to plan benefits, medical provider access, copays, out-of-pocket expenses or prescription drug coverage.

By law, UnitedHealthcare must notify you that your current coverage with them is ending. You will receive a letter from UnitedHealthcare around the last week of February 2014. The letter must include certain required language that you may find confusing. For example, you will be told that you have the option of enrolling in an individual plan, offered through UnitedHealthcare. This is required language and does not apply to you. You will automatically be enrolled in the UMR-administered medical plan. No additional action is required on your part.

We have included a number of frequently asked questions that will help clear up any confusion you might have about this plan administration transition. The important thing to remember is that, effective April 1, 2014, your benefits will remain the same as they are now with no changes in plan design, provider access or prescription drug coverage. The only change is that your new medical plan will be administered by UMR, and you will receive a new UMR ID card.

Sincerely,

Patriot Coal Benefits Department

**Enclosure** 

# Case 12-51502 Doc 5436 Filed 03/26/14 Entered 03/26/14 14:06:47 Main Document Frequently Asked Questions

# 1. Do I need to enroll in the medical plan administered by UMR?

No. The transition from your current UnitedHealthcare coverage to the plan administered by UMR will happen automatically, effective April 1, 2014. You do not need to take any additional action to enroll in coverage.

## 2. Will I receive new medical plan ID cards from UMR?

Yes. Beginning April 1, 2014, you should present your Medicare and UMR ID cards whenever you receive medical services. You should continue to use your current CVS Caremark/SilverScript ID card(s).

# 3. Will I have to pay additional premiums, beyond the Medicare Part B premiums that I currently pay, under the medical plan administered by UMR?

No. You and your covered spouse or dependent (as applicable) will pay no additional amounts beyond what you currently pay for health care coverage. You will continue to pay Medicare Part B monthly premiums, as you currently do. For information on Medicare's Part B premium cost, contact Medicare directly at 1-800-MEDICARE (1-800-633-4227), 24 hours a day/7 days a week.

# 4. Will my benefits change in the medical plan administered by UMR?

No. Your benefits will remain the same as they are now. You will continue paying the same copays and the same out-of-pocket expenses for your medical and prescription drug coverage.

#### 5. Will I have to switch doctors?

No. You can continue using the doctors you are currently using. Just as with your current UnitedHealthcare plan, the administration of your medical benefits will be easier for you if you use providers who accept Medicare.

### 6. Will my pharmacy benefits change?

No. You will continue to receive pharmacy benefits under the current plan administered by CVS Caremark/SilverScript. You also will continue to use your current CVS Caremark/SilverScript ID card(s).

# 7. Must I be enrolled in Medicare Part A and Part B to be enrolled in the UMR medical plan administered by UMR?

Yes. The federal government requires that you be enrolled in Medicare Parts A and B and continue to pay your Part B premium, as you currently do, to participate in the medical plan administered by UMR. The Medicare Part A and Part B coverage provided through the UnitedHealthcare retiree medical plan will transition to the coverage provided by UMR. No re-enrollment in Medicare Parts A and B is necessary.

# 8. What happens if I select another Medicare Advantage or Medicare Part D prescription drug plan in addition to accepting enrollment in the medical plan administered by UMR?

The Centers for Medicare and Medicaid Services (CMS) do *not* allow a Medicare beneficiary to be enrolled in *more than one* Medicare Advantage or Part D plan at one time. CMS is the government organization responsible for overseeing Medicare.

You will automatically be enrolled in the medical plan administered by UMR effective April 1, 2014. If you then enroll in an individual Medicare Part D plan or an individual Medicare Advantage plan, you will be

Case 12-51502 Doc 5436 Filed 03/26/14 Entered 03/26/14 14:06:47 Main Document automatically dis-enrolled from the Patriot Coal medical plan administered by UMR and will lose your prescription coverage. If you want to be covered by the medical plan administered by UMR effective April 1, 2014, do not enroll in any other Part D or Medicare Advantage plan on the individual market.

As noted in the accompanying letter, you will receive a letter from UnitedHealthcare around the last week of February 2014. The letter *must* include certain required language that you may find confusing. For example, those retirees currently in the Medicare Advantage Preferred Provider Organization (PPO) plan will be told that they have the option of enrolling in an individual plan offered through UnitedHealthcare. Please keep in mind that this is required language and does not apply to you.

#### What's Next?

# 9. When does the UMR medical plan take effect?

The plan begins April 1, 2014.

# 10. Who do I call if have additional questions about the transition?

For questions about	Call	At this telephone number
Your current retiree medical plan (through March 31, 2014), or your prescription drug coverage*	UnitedHealthcare or CVS Caremark/ SilverScript	The phone number is on your current insurance ID card
Your retiree medical plan administered by UMR effective April 1, 2014	UMR	1-800-972-3023 8 AM to 5 PM Central Time Monday through Friday
Eligibility changes related to you or your covered spouse or dependent	Patriot Coal Benefits Center	1-800-633-9005 7:30 AM to 4:30 PM Central Time Monday through Friday

<sup>\*</sup> Your prescription drug coverage will continue to be provided through CVS Caremark/SilverScript after April 1, 2014

#### **General Questions about Medicare**

# 11. Where can I get more information about Medicare?

For more information, including the CMS "Medicare and You" brochure, go to **www.mymedicare.gov**. You also can request a printed copy of the brochure by calling Medicare at 1-800-MEDICARE (1-800-633-4227). TTY users should call 1-877-486-2048, 24 hours a day/7 days a week.

This document is intended to notify you of a transition in administrator for Patriot Coal's benefit plan during the plan year beginning April 1, 2014. In the event of any discrepancy between this information and the applicable plan documents, the terms of the applicable plan documents control.

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REMINDER

ABOUT YOUR MEDICAL PLAN **EFFECTIVE APRIL 1, 2014** 



As was recently communicatec to you in a letter dated Feb. 14, 2014, Patriot Coa administered by UMR to ensure no disruption to will automatically enrol you in a medical plan





Even th8a8gH2-545P2-ePPe543RedFiled 93/26/14 Entered 03/26/14 1486-47 under the Coal Act plan will not change. is transitioning to UMR, your benefits And you can continue to see your current providers.

Please continue to use your CVS Caremark/SilverScript ID card as they You should already have received a UMR medical plan identification (ID) card. You may begin using the UMR ID card on April 1, 2014. will continue to administer your prescription drug benefits.

Caremark/SilverScript ID card to your doctors/hospital for services Remember to show both your UMR medical ID card and CVS you receive on or after April 1, 2014.

Representatives are available from 8 a.m. to 5 p.m. Central Time, If you have questions, please contact UMR at 1-800-972-3023. Monday through Friday.

12312 Olive Blvd., Suite 400 St. Louis, MO 63141