

# PUBLIC SUBMISSION

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**Docket:** EBSA-2015-0017

Claims Procedure for Plans Providing Disability Benefits; Extension of Applicability Date

**Comment On:** EBSA-2015-0017-0291

Claims Procedure: Plans Providing Disability Benefits

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## General Comment

I am writing in support of the Final Rule - Claims Procedure for Plans providing disability benefits.

I am an attorney in Maine with many clients who are suffering from loss of income due to disabling conditions that entitle them to disability benefits from Employer-sponsored group LTD plans.

The claims administrators, generally insurance companies operating for-profit companies have used a host of administrative techniques to deny valid claims that meet the terms of the plans and deny Claimants full and fair review of benefit denials.

For example,

- currently it is rare for a claim denying LTD insurer to furnish plan rules, guidelines and protocols or standards used in denying the claim,

-currently it is common if not the rule that insurers administering claims will secure medical consultant file reviews to bolster APPEAL denials after the Claimant has appealed her claim. Insurers then, ALMOST NEVER allow the claimant a fair opportunity to respond.

For cases where a deferential review is used by the reviewing federal court, these tactics are often fatal for the Claimant.

It is critical for the DOL to implement the Final Rule.