Sent: Tuesday, January 19, 2016 2:41 PM
To: EBSA, E-ORI - EBSA
Subject: Comments on proposed regulations, RIN 1210-AB39

Re: RIN 1210-AB39

The purpose of this email is to comment on proposed regulations for Employee Benefits Security Administration that were posted on November 18, 2015 ("Proposed Regulations").

Thank you for trying to improve the protections for disability insurance claimants. I had a very trying time when I applied for my own long term disability benefits from my employer.

I had a lot of medical evidence supporting my disability. My initial claim for social security disability benefits was approved without any problem. I did not even need to hire a lawyer to make my social security disability claim.

My battle for "ERISA" (Employee Retirement Income Security Act of 1974) long term disability benefits is a different story. I don't want to go into details about my fight. The summary is that my benefits were first denied, and then granted after a long legal battle, and then denied again about 6-7 years later. During this time my health remained unchanged.

During all those years my social security claim was reviewed several times. Each time my social security disability benefits continued. I was unable to work and remain so to this day. I continue to receive social security disability benefits without any problem. But after my ERISA disability benefits stopped I was unable to get them reinstated.

The legal issues surrounded ERISA disability claims are very confusing. The one thing that seems clear is that it matters more whether patients have a good lawyer than whether they can show medical evidence that they are too sick to work. Otherwise patients who passed the stringent requirements to get social security disability would automatically be qualified for ERISA disability benefits (which may have a lower standard, e.g., own occupation vs. any occupation). This situation seems wrong.

Thank you for anything you can do to improve the situation for ERISA long term disability claimants.