

PUBLIC SUBMISSION

Received: October 23, 2017
Status: Pending_Post
Tracking No. 1k1-8zdy-j09c
Comments Due: December 11, 2017
Submission Type: Web

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

Document: EBSA-2015-0017-DRAFT-0371

Comment on FR Doc # 2017-22082

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General Comment

It does not seem possible for the Final Rule to "impair workers' access to disability insurance benefits" as suggested in the notice of the proposed 90-day delay of its applicability, and therefore, I oppose the proposed delay. The Final Rule is quite clearly designed to improve the clarity of the administrative claim process, which will undoubtedly reduce unnecessary litigation. This will expedite workers' access to disability insurance benefits during the administrative process in meritorious claims, and it is also likely to avoid excessive litigation because increased clarity will deter workers and their attorneys from pursuing claims where the lack of merit is made clear. All of these provisions simply clarify the administrative process in a manner that will avoid lawsuits that ultimately result in district court remands to the administrator for full and fair review, which now occur frequently and impose an unnecessary burden on our federal courts. These procedures are already followed by reputable insurers, and it is difficult to imagine the controversy in these rather modest

administrative requirements. Only those insurers that wish to hide information during the administrative process will be affected, and a delay in the applicability of the Final Rule will itself "impair workers' access to disability insurance benefits." We should not waste valuable agency resources re-reviewing such plainly logical regulatory requirements. Therefore, I believe the proposed delay is inappropriate and should be rejected. Thank you.