

From: Mitch Hefter [mailto:MHefter@kantorlaw.net]
Sent: Wednesday, October 25, 2017 3:02 PM
To: EBSA, E-ORI - EBSA
Subject: RIN 1210-AB39

Employee Benefits Security Administration
Room M – 5655
U.S. Dept. of Labor
200 Constitution Avenue NW
Washington D.C. 20210

Re: Claims Procedure Regulations for Plans Providing Disability Benefits Examination
RIN No.: 1210 – AB39
Regulation: 29 C.F.R. §2560.503 – 1

Dear Deputy Assistant Secretary Hauser:

The new regulations set to go into effect on 1/1/18 are long overdue. Now, through insurance company lobbying, these regulations face further delay and uncertainty. This would be comical were it not so harmful to the health and well-being of tens of thousands of Americans.

As an attorney who has represented hundreds of ERISA claimants over the years, I know these changes are needed now. The new regulations simply codify what insurers should have been doing all along. They allow for more transparency in the review process, and give claimants a better opportunity to present their claims on a level playing field.

The reason for the delay is highly upsetting. Essentially, a multi-billion dollar industry is complaining that costs will rise if they actually have to fulfill the fiduciary duties they were supposed to be adhering to all along. While I am obviously biased due to my chosen profession, even an unbiased observer would find this excuse laughable. In reality, whatever nominal cost increases arise on the claim administration end, there will undoubtedly be massive savings to the insurance industry, claimants, and the American taxpayer as fewer claims will make their way to the courts.

Thank you considering my comments.

Warm regards,
Mitchell Hefter

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