

From: Jim Keenley [mailto:jkeenley@bkkllp.com]
Sent: Wednesday, October 25, 2017 6:51 PM
To: EBSA, E-ORI - EBSA
Subject: RIN 1210-AB39

Dear Department of Labor,

I write to strongly object to the proposed relay in implementing the new ERISA claim procedure regulations codified in the Final Rule adopted by the Department of Labor and published in the federal register on December 19, 2016. These regulations were the product of a lengthy and thorough rule making process in which the public and all stakeholders had ample opportunity to contribute.

The concerns raised by the purported need for delay are invalid, the insurance industry has already had ample time to make their arguments against the new regulations and those arguments were made and considered in the due course of the rule making process. The Department specifically evaluated the cost of the new regulations and concluded that those costs would be minimal. The claims procedure regulations are well thought out rules that will help claimants, insurers, and plan administrators understand their rights and responsibilities with respect to benefit claims under ERISA-governed plans, and will bring uniformity to an area of the law that varies significantly from circuit to circuit.

Delaying implementation of the new regulations now would also undermine the public confidence in the Department's ability to protect the interests of ordinary working men and women, nearly all of whom depend on the ERISA claims procedure rules to ensure that basic health, life, disability and pension claims are fairly and promptly handled. If a change in administration is enough to upend a rule making process that concerns non-political issues that are essential to the smooth and fair operation of benefit plans, like the time periods in which benefit claims must be decided, or whether claimants are entitled to see and respond to the evidence used to deny claims.

Sincerely,

Jim Keenley

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