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

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Claims Procedure: Plans Providing Disability Benefits

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General Comment

I understand that the justification for the proposed delay is a last minute ex parte claim by the insurance industry that the new regulations may result in an increase of premiums of 5 to 8%. The formal notice and comment period has already closed on the rule changes at which time these concerns either were or should have been raised.

No information has been given as to why there is a concern that the new regulations may result in a premium increase. I would be very skeptical of this claim since the rule changes are procedural only and not substantive. The changes as I understand them do not require additional coverage rather they are instituted to assure a full and fair review for each participant and beneficiary. If these rule changes result in some claimants obtaining a more open and fair review of their claim resulting in the payment of benefits at the administrative level, this will undoubtedly save the plan litigation costs down the road. However if the new rules result in some minimal

premium increase this would hardly be a basis to change procedural rules which are designed to provide fairness.

It is disturbing to see a last minute change in procedure to delay the implementation of the new rules without any showing of good cause. I respectfully ask that the final rules be permitted to apply as originally adopted on 1/1/18.