

From: jmurray640@gmail.com [mailto:jmurray640@gmail.com]
Sent: Thursday, October 26, 2017 2:51 PM
To: EBSA, E-ORI - EBSA
Subject: RIN No.: 1210-AB39

Dear Mr. Hauser,

I am an attorney working in southern Florida and I have been representing individuals in ERISA claims and litigation for more than 20 years. While ERISA was designed to be an equitable law, this is far from how it is implemented currently for those individuals whose benefits are subject this law.

I am requesting that the DOL not delay the implementation of the new claims regulations. DOL has already extensively evaluated commentary from claimants, insurance companies, plans and others during the rule making process. The Secretary of Labor should not delay the effective date of the Final ERISA claims regulations adopted on December 19, 2016. ERISA plans, their advocates and insurance companies and their advocates are now seeking to undo the regulations after the fact without going through the rule making process. These parties had ample opportunity to voice their concerns and to provide data supporting their new allegations on cost and other purported challenges by the new regulations.

ERISA is a law that tends to lead to very inequitable results, particularly in litigation of long-term-disability claims and health insurance claims. To reiterate, The Secretary of Labor finalized rules after an extensive notice and comment period that resulted in significant input from various interested parties. This included attorneys representing participants, participants, ERISA plans, insurance companies and their advocates and ERISA plan organizations. The Secretary weighed these comments before crafting the final rules. Now, the ERISA plan organizations, insurance companies and those aligned with those groups are seeking to undo the regulations without following regulatory procedures. The amendments to the regulations that must take effect early next year to provide for some balance between sick and injured people and insurance companies and plans. The regulations are enacted, the regulations must be implemented and followed, and should be followed without further delay.

Sincerely

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