

PUBLIC SUBMISSION

| |
|--|
| Received: October 27, 2017 |
| Status: Pending_Post |
| Tracking No. 1k1-8zge-v9qj |
| 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-0401

Comment on FR Doc # 2017-22082

Submitter Information

Name: Sarah Burns

General Comment

Dear Mr. Hauser,

I am an attorney who represents claimants in disability and health claims under ERISA.

I am requesting that the Secretary of Labor not delay the effective date of the Final ERISA claims regulations adopted on December 19, 2016 . ERISA plans and insurance companies 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.

The limited information from the Secretary's office suggests the final rules are under reconsideration, but there is a lack of transparency from the Secretary. The Secretary has not advised the exact nature of the information prompting reconsideration and why the information was not provided to the Secretary and evaluated during the comment period. To grant ERISA plans and insurance companies an extension at this

point has the appearance of favoritism and is likely to require the Departments of Labor and Justice to expend substantial resources defending the litigation contesting the violations of the rulemaking process under the Administrative Procedure Act (APA) of 1946 (5 U.S.C. 551 et seq.).