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Submitted Electronically via e-ORI@dol.gov

October 27, 2017

Office of Regulations and Interpretations
Employee Benefits Security Administration
Room N-5655
U.S. Department of Labor
200 Constitution Avenue, NW
Washington DC 20210

Subject: Claims Procedure for Plans Providing Disability Benefits; Extension of Applicability Date (RIN 1210-AB39)

To Whom it May Concern:

These comments are submitted on behalf of Unum Group (“Unum”) which through its insurance subsidiaries is the nation’s largest group disability insurance carrier. Unum welcomes the opportunity to comment on the proposed delay of the applicability date of the rule amending disability claims procedures (81 Fed Reg. 92316 (Dec. 16, 2016), the “Regulation”) under the Employee Retirement Income Security Act of 1974 (“ERISA”). Unum and its insureds are significantly impacted by ERISA disability claims regulation changes. Unum supports the delay of the applicability of the final rule amending Section 2560.503-1 of ERISA; however, Unum believes that the proposed 90-day delay does not afford the Department of Labor (“Department”) sufficient time to: review comments on the final rule; conduct the appropriate analysis (that was not conducted by the Department under the prior administration) of the impact of the final rule; determine next steps; issue an appropriate final rule and allow time for insurers and employers to implement any changes necessary under the final rules.

Unum is a member of the American Council of Life Insurers (“ACLI”) and incorporates comments made by ACLI on its member companies’ behalf. Unum is a joint signatory on a comment letter submitted on October 27, 2017, by a coalition of trade associations and insurance carriers, and also incorporates those comments. For the reasons set forth in greater detail in those two comment letters, Unum urges the Department to delay the applicability date of the Regulation for a period sufficient to allow the Department to consider the effects of the Regulation and any necessary changes. We further support the Department’s review of the true costs of the Regulation and we anticipate providing input on data for the Department’s consideration of the true costs of the Regulation – costs ultimately borne by working Americans and their employers.

Unum appreciates the Department’s current effort to delay the final rule to enable it to gather, review and analyze data and comments regarding the ERISA disability claims regulation changes. However, Unum believes the proposed delay is insufficient to enable the Department to conduct the required review and to allow sufficient time for insurers and employers to implement any changes under the rules finalized following that process.

Thank you for considering Unum’s input.

Sincerely,

Gregory J. Breter
Senior Vice President
Unum U.S. Benefits Operations