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Submitter Information

Name: Anonymous Anonymous

General Comment

I am making a few general comments on ERISA specifically regarding the appeal process as it relates to disability claims.

Under the ERISA provisions today, I feel that employees are given a sense of false security that they are covered in the case that they become disabled. Until someone experiences this process, they are not aware of the limitations placed on them. The playing field with disability policies that are part of an employee benefit should be closely aligned with those of a private disability policy. If they are not, there should be a full disclosure made to the employee upfront and not lurking inside the Summary Plan Description document. I am quite certain that employees are not aware of the high standards of needing to show that a claim was "capricious and arbitrarily" denied.

I would like to add that a majority of people who are affected by the ERISA review process are not aware of these changes or are not cognitively able to interpret them. I happened to stumble across the changes by accident.