

**From:** Robert Perez [mailto:rperez@cinci.rr.com]  
**Sent:** Thursday, October 19, 2017 11:08 AM  
**To:** EBSA, E-ORI - EBSA  
**Subject:** RIN 1210-AB39

Dear Sirs:

This is to oppose the delay in the implementation of the rules. There was much participation in the rule making process and the insurance industry had its opportunity to comment. Now the rules are final.

Delay harms the plan beneficiaries and participants to whom the plan fiduciaries owe a duty. The rules in part simply clarify what the prior rules required such as the production of documents and an opportunity to comment before the final decision on benefits is made. This has been ignored by the carriers to allow them to have the final word without input from the insured to whom they owe a fiduciary duty.

The lack of compliance with the current rules should be the DOL's major concern not the alleged costs conjured up by in-house bean counters. The insurance industry at best, minimally complies with the current rules and as for the time frames for claim determinations ignores them more often than they comply. Meanwhile the homes of the beneficiaries go into foreclosure and car payments are missed. Health benefits are delayed and denied and medical treatment is not provided. These are the costs that the DOL should be concern about. Costs that are not available nor calculable.

Please hold the industry to the rules. This is the duty charged to the DOL by Congress not to accommodate for-profit insurance carriers. The DOL's duty is not to provide welfare to the insurance industry.

It is to protect the employees and their families.

Thank you for your consideration of these comments. They are from someone who has many years of seeing the abuse first hand.

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