

# PUBLIC SUBMISSION

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**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

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## Submitter Information

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## General Comment

Dear EBSA/DOL -

RE: Proposed Rule Changes Group LTD Benefits

I am shocked that the subject rule change has been proposed. First, the proposed rules changes don't do enough, but to discover this backtracking, baffles the mind.

I am a consumer and have repeatedly been attacked by my ERISA LTD carrier. My carrier has used all the tricks and schemes in the book, that these proposed rule changes are meant to help fix. My carrier has ignored SSDI determination of disability. The carrier has come up with new reasons to deny my claim, when it's too late in the appeals process for me to provide evidence to refute their new findings. Add to all the inequities in the claims handling process, the discretionary clause puts a

claimant in an almost impossible position of proving their claim.

Having taken my carrier to Federal court, even when they lose (rarely), they never are the ones to end up paying. The carriers just increase the premiums when they improperly terminate a claim, and it's the plan participants that end up paying all the legal costs in higher premiums. The proposed rules would help reduce the number of improperly denied claims and court costs, when the insurance companies are on a more level playing field to the claimant. Insurance companies would have to think twice about improperly denying a claim, that will see it's day in court. This will lower litigation expenses, and subsequent premiums.

Without the proposed rules, it would be like buying auto insurance, and the insurance company having the option to pay the claim, or denying it improperly. Sure, you auto premiums would be a lot lower if the insurance company doesn't have to pay any legitimate claims they don't want to, but are you really protected by insurance this way? I am sure that anyone who buys group LTD insurance, wants it to be there if they ever need it and have a claim. Nobody would trade lower premiums in for insurance that doesn't pay out on legitimate claims.

Please reinstitute the proposed changes. They are a start, but still leaves employees at a big disadvantage to the billion dollar insurance carriers.