

From: John Walker Wood
Sent: Monday, December 11, 2017 4:33 PM
To: EBSA, E-ORI - EBSA
Cc: john@woodfirm.com
Subject: 1210-AB39

Office of Regulations and Interpretations,
Employee Benefits Security Administration
Room M-5655
U.S. Dept. of Labor
200 Constitution Avenue NW
Washington D.C. 20210

Re: Re-Examination of Claims Procedure Regulations for Plans Providing Disability Benefits
RIN No.: 1210-AB39
Regulation: 29 C.F.R. §2560.503

Dear Deputy Assistant Secretary Hauser:

I request that the Department of Labor refuse to modify or further delay the final disability claims regulations that are scheduled to go into effect on April 1, 2018.

I am an attorney for disabled persons who assert claims under ERISA. I know that the final disability claims regulations will result in a simpler and fairer system for deciding benefit claims.

The self-serving concerns raised by the insurance industry are meritless. Where those rules are based on policy choices that have been made by Congress, by this Department, and by the federal courts interpreting ERISA, another argument about the merits is unnecessary.

Currently, the insurance industry handles claims in a one-sided fashion that prevents the fair resolution of claims. For example, insurance companies routinely add new evidence from paid “consultants” without providing claimant a chance to respond to the new evidence. This is a hideous practice that prevents many claims from receiving a full-and-fair review of their claims or from recovering their disability benefits. Among other things, the new regulations end this practice by allowing claimants the opportunity to rebut the biased reports from the paid consultants (who have almost never seen or spoken with the claimant).

I therefore request that the new regulation go into effect as scheduled.

Thank you.

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