

**From:** Jack Stennett  
**Sent:** Monday, December 11, 2017 5:53 PM  
**To:** EBSA, E-ORI - EBSA  
**Subject:** RIN NO.: 1210-AB39, 29 CFR 2560.503-1

Dear Deputy Assistant Secretary Hauser,

I am an attorney who has been in practice for 41 years. For the last approximately 20 years I have been representing claimants with ERISA disability claims. I am writing to comment on the last minute claims that the new regulations will increase premium costs of group disability insurers of ERISA Plans by 5 to 8%.

I have seen no concrete factual evidence that the proposed regulations will increase costs. In fact most of the regulation changes have been inconsistently adopted by case law and an unambiguous codification of these judicial decisions in the regulations such as allowing the claimant to respond to new information at the administrative level will, in my opinion, save the costs currently spent in fighting over these issues in litigation.

However, assuming there is a possibility that the new rules will result in some minimal increased costs, this would hardly be a basis to change procedural rules which are designed to provide fairness by for example allow a full review of the issues at the administrative level and provide clarity to the applicable time limitations in pursuing a claim. These are fundamental rights of due process that should not be sacrificed so as to allow some cost savings to administrators/insurers who are bound by a fiduciary duty to these same claimants.

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