

Plan Documents Must Be Updated For Disability Claim And Appeal Procedure Regulations

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Final regulations requiring changes to disability claim and appeal procedures in plans subject to the Employee Retirement Income Security Act of 1974 (ERISA) took effect April 1, 2018.

These rules apply to any benefit plans subject to ERISA that condition benefits on a determination of whether a participant is disabled, including plans offering health, disability, life insurance, retirement, or severance benefits.

The new rules generally require changes to the documentation and procedural requirements that apply when denying claims and appeals for disability benefits. Plan documents that contain claim and appeal procedures and summary plan descriptions will need to be amended to comply with the new rules.

Although there is no immediate deadline for adopting such amendments, employers should take steps now to ensure compliance with the new regulations both in practice and in the applicable plan documents.

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Practice Areas

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