

April 1 Effective Date for New Disability Benefit Claims Procedures

March 27, 2018

Employers sponsoring employee plans that provide "disability benefits" are reminded that the new disability benefit claims procedures, as issued by the DOL under ERISA (the "**Disability Procedures**"), are applicable to disability benefit claims filed after April 1, 2018. According to the DOL, a benefit is a "disability benefit" under ERISA's claims regulations (including the Disability Procedures) if the plan conditions the availability of the benefit upon evidence of the participant's disability. The Disability Procedures may thus apply not only to long-term and short-term disability plans that are subject to ERISA, but also to other types of ERISA benefit plans, such as group health plans and qualified and non-qualified retirement plans, if the plan provides benefits that are based upon a determination of disability that is made under the plan. ([See our prior blog post for more details regarding impacted plans.](#)) Plan sponsors should ensure that (i) the claims procedures of all of their impacted ERISA plans are updated to conform to the requirements of the Disability Procedures and (ii) those updates are reflected in the plans' summary plan descriptions or communicated via a summary of material modifications. [View the Disability Procedures.](#) [View the DOL rule extending the effective date of the Disability Procedures to claims filed after April 1, 2018.](#)