

Case Serves as Reminder to Include Limitations Period in Denial Letters

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A recent case from the U.S. District Court for the District of Utah serves as a useful reminder to sponsors of employee group health plans that benefits denial letters should contain the plan's time limit for filing a lawsuit. In that case, the plan had a 180-day limitation period for bringing legal action, and the plaintiff filed suit after that deadline. The court noted that a number of other courts have interpreted ERISA regulations to require denial letters to include any plan-imposed time limit for filing suit. We previously discussed two such cases on our blog [here](#) and [here](#). Finding the plan's limitation period was unenforceable because it was not included in the final claim denial letter, the court applied the most closely analogous statute of limitations under state law. Employers are reminded to review their template denial letters to ensure the plan's time limit for filing a lawsuit is included.

The case is *Anne A. v. United Healthcare Ins. Co.*, 2:20-cv-00814-JNP-DAO (D. Utah Mar. 30, 2022).