



Blogs / Claims & Appeals

Toggle
Navigation

RECORDED WEBINARS

- [Effects of Recent Legislation on Employee Benefit Plans](#)
- [Distribution and Withdrawal Basics](#)
- [The Brave New Fiduciary World](#)
- [IRS Curtailment of Determination Letter Program: What Does it Mean for Your Company's Retirement Plan?](#)
- [Restating Pre-approved \(Prototype/Volume Submitter\) Plan Documents](#)
- [Deciphering the ACA Reporting Rules](#)
- [Roth Conversions: Are They Right for Your Plan and Your Participants?](#)
- [The ACA's Employer "Play-Or-Pay" and 90-Day Waiting Period Provisions](#)

BLOG TOPICS

- [401\(k\) Plans](#) (17)
- [403\(b\) Plans](#) (11)
- [409A](#) (1)
- [457\(b\)](#) (1)
- [Beneficiaries](#) (1)
- [Cafeteria Plans](#) (2)
- [Claims & Appeals](#) (4)
- [Deferred Compensation](#) (6)
- [Determination Letters](#) (1)
- [Discrimination](#) (4)
- [Distributions](#) (4)
- [Dollar Limits](#) (6)
- [ERISA Litigation](#) (5)
- [Executive Compensation](#) (2)
- [Fiduciary Duties](#) (20)
- [Fringe Benefits](#) (5)
- [Governmental Plans](#) (1)
- [Group Health Plans](#) (7)
- [Hardship](#) (1)
- [Health Care Reform](#) (16)
- [Health Plans](#) (22)
- [HIPAA Privacy and Security](#) (7)
- [Investment Adviser](#) (11)
- [Legislation](#) (9)
- [Multiemployer Plans](#) (3)
- [Mutual Funds](#) (4)
- [Nonqualified Plans](#) (4)
- [Participant Communications](#) (3)
- [Pension Plans](#) (5)
- [Plan Administration](#) (22)
- [Plan Investments](#) (5)
- [Qualified Retirement Plans](#) (8)
- [Regulation](#) (2)

- [Reporting and Disclosure](#) (8)
- [Roth Contributions](#) (2)
- [Subrogation and Reimbursement](#) (1)
- [Tax Cuts and Jobs Act](#) (6)
- [Voluntary Correction Programs](#) (1)
- [Wellness Programs](#) (4)

BLOG EDITORS

[Kenneth A. \(Ken\) Mason](#)

T 913.327.5138

kmason@spencerfane.com

EMPLOYEE BENEFITS GROUP

- [Overview](#)
- [Attorneys](#)

Latest Posts

05.23.2018 [Federal Appellate Court Decision Highlights Importance of “Firestone” Language](#)

By Kenneth A. (Ken) Mason

In a recent decision, the Sixth U.S. Circuit Court of Appeals resolved an important question in a way that should put administrators of ERISA plans in a far stronger position vis-à-vis claimants who disagree with the administrators’ plan interpretations. Essentially, the court in *Clemons v. Norton Healthcare Retirement Plan* held that the contract-interpretation doctrine of “*contra proferentum*” has no application once a court has determined that a plan document grants the administrator the type of broad discretion approved by the U.S. Supreme Court in its 1989 *Firestone* decision.

01.30.2018 [New Disability Claims and Appeals Procedures Finally Take Effect](#)

By Kenneth A. (Ken) Mason

When the Department of Labor (“DOL”) delayed by 90 days the date by which ERISA plans were required to comply with a set of disability claims and appeals regulations issued in the waning days of the Obama Administration, we predicted that a further delay – or even a complete withdrawal – of the regulations could be in the works. As it turns out, we were wrong. Instead, the DOL announced in early January that the regulations will become fully applicable on April 1st – and without change.

10.13.2017 [Administration Proposes Delay of Disability Claims and Appeals Procedures](#)

By Kenneth A. (Ken) Mason

The Department of Labor has proposed a 90-day delay in the applicability of disability claims and appeals regulations that were finalized in the waning days of the Obama Administration. Rather than applying to claims filed on or after January 1, 2018, the regulations would now apply to claims filed on or after April 1, 2018. Moreover, it seems likely that a further delay – or even a complete withdrawal – of the regulations could be in the works.

02.03.2017 [DOL Disability Regulations and the Impact on ERISA Plans](#)

By Laura L. Fischer, Griffin Bridgers

The Department of Labor has issued final regulations under Section 503 of ERISA that purport to enhance the disability benefit claims and appeals process for plan participants. These regulations amend the DOL’s disability claims procedure regulations issued in 2002. The new regulations generally affect the procedures for filing disability benefit claims, providing notice of adverse benefit determinations, and appealing adverse benefit determinations.

Showing 1-10 of 4 results [View All](#)