

New Disability Claims Procedures

February 9, 2018

As we communicated in our [previous advisory](#), the U.S. Department of Labor has issued new Disability Claims Procedures rules. The original effective date of these rules was extended with the result that the new rules are now effective **April 1, 2018**.

The new rules are not limited to disability plans. They also apply to any retirement plans, medical plans, and other welfare plans where a participant's disability has an impact under the plan and the existence of a disability is not based on an independent party's determination, such as, for example, where an employee's disabled status references disability as determined by the Social Security Administration or another employee benefit plan (like a long-term disability plan).

Plan sponsors and administrators of ERISA plans that have a disability feature need to take action now to analyze their plan documents, including summary plan descriptions, administrative practices and procedures, and participant notices, to determine the applicability and impact of these new rules and what documentary and procedural changes are needed to ensure compliance with the new rules.

To read the advisory on the Kelley Drye website, [click here](#).