



TOPIC: CLAIMS AND APPEALS – DISABILITY PENSIONS

**EXECUTIVE
SUMMARY:**

THE LABOR DEPARTMENT RELEASED GUIDANCE, IN THE FORM OF *FREQUENTLY ASKED QUESTIONS (FAQ)*, ON THE NEW CLAIMS AND APPEALS PROCEDURE REGULATIONS. IN Q&A 9, THE LABOR DEPARTMENT HAS CLARIFIED THE CLAIMS PROCEDURE THAT MUST BE FOLLOWED FOR DISABILITY BENEFITS UNDER PENSION PLANS. IF THE FINDING OF DISABILITY IS MADE BY THE PLAN (OR ITS AGENT), THE PROCEDURE MUST MEET THE STANDARDS FOR HEALTH PLANS AND IS SUBJECT TO THE SPECIAL RULES AND DEADLINES FOR CLAIMS AND APPEALS RELATED TO HEALTH PLANS. IF THE EXISTENCE OF A DISABILITY IS BASED SOLELY ON A DECISION BY A THIRD PARTY SUCH AS SOCIAL SECURITY, THE PENSION RULES GOVERN.

PURPOSE: INFORMATIONAL - CLARIFICATION OF REGULATIONS

CATEGORY: DISABILITY PENSIONS

ISSUER: U.S. LABOR DEPARTMENT

TARGET
AUDIENCE: PENSION AND HEALTH & WELFARE FUND
COUNSEL AND ADMINISTRATORS

INPUT REQUESTED: NA

OFFICIAL COMMENT
PERIOD ENDS: NA

NCCMP DEADLINE: NA

FORWARD
COMMENTS TO: Multi-elert@nccmp.org

REFERENCE: **VOL. 1, ISSUE 6**

FOR ADDITIONAL
BACKGROUND SEE: THE COMPLETE SET OF FAQs MAY BE FOUND ON THE
LABOR DEPARTMENT'S WEBSITE, AT:
<http://askpwba.dol.gov/faq-claims-proc-reg.html>.