

## Sample Appeal Letter: Open Claims for ERISA Plans

Date

To Whom It May Concern:

Thank you for the opportunity to submit this denied claim for reconsideration of payment. We are contacting you about the services rendered to [Details about the patient's name, date of service, and services rendered].

We request immediate payment of the above referenced claim. According to our records, this claim was filed on [date of filing], however, payment has not yet been received.

We believe that failure to release payment may be a violation of U.S. Federal Code Title 29. This portion of the Pension and Welfare Benefits law prohibits self-funded group employer-sponsored health plan from unnecessarily delaying claims processing.

The U.S. Federal Code of Regulations, 29 CFR 2560.503-1 - Claims procedure, states: (B) Post-service claims. In the case of a post-service claim, the plan administrator shall notify the claimant, in accordance with paragraph (g) of this section, of the plan's adverse benefit determination within a reasonable period of time, but not later than 30 days after receipt of the claim. This period may be extended one time by the plan for up to 15 days, provided that the plan administrator both determines that such an extension is necessary due to matters beyond the control of the plan and notifies the claimant, prior to the expiration of the initial 30-day period, of the circumstances requiring the extension of time and the date by which the plan expects to render a decision. If such an extension is necessary due to a failure of the claimant to submit the information necessary to decide the claim, the notice of extension shall specifically describe the required information, and the claimant shall be afforded at least 45 days from receipt of the notice within which to provide the specified information.

[Note: full text at:

[http://www.dol.gov/dol/allcfr/Title\\_29/Part\\_2560/29CFR2560.503-1.htm](http://www.dol.gov/dol/allcfr/Title_29/Part_2560/29CFR2560.503-1.htm)]

Based on this federal mandate and the fact that this is a "clean claim", we ask that this claim be adjudicated immediately.

Thank you for your reconsideration.

Sincerely,

[Your Name]

Account Representative

*Author's note: The sample appeal letter does not guarantee payment, and is offered as a sample only.*