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# THE LONG AND SHORT OF DISABILITY INSURANCE POLICIES

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How do you plan to support yourself and your family if you become too sick or injured to work? The best time to think about a disability insurance policy is well before you think you may need it. Your medical condition can cost a lot of money to treat, but when you also consider the wages you lose during your recovery, then the financial toll of a disability may be staggering. This white paper will introduce and discuss a few common types of disability insurance that may be able to protect you in the future. This is strictly an overview of disability insurance policies and is not intended to take the place of speaking with an experienced attorney. The Coye Law Firm's disability attorneys may be able to help you get benefits if an insurance dispute arises.

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### What are Disability Benefits?

You may have heard about the disability benefits available from the Social Security Administration. Injured or sick workers may be able to claim these government benefits if their condition keeps them from working. People qualify based on a combination of their work history, income levels, and medical condition. They need to apply for benefits, but they don't need to be enrolled in a plan first.

Disability insurance plans help people in a similar way, except a person needs to enroll in a disability insurance plan in order to be covered. Every policy is different, and coverage can vary according to benefits, term, and price.

### Sources of Disability Insurance

There are two primary ways that a person can get disability insurance coverage: private plans or employer-sponsored plans. There are risks and benefits to each type of policy. Private plans typically cost more than employer-sponsored plans, but the buyer has a lot more options when it comes to the company and type of policy they want.





### Short-term vs. Long-term Disability

You may need to take a month off to recover from a serious cold, or you may even need six months off to recover from an automobile accident. The coverage terms of a disability policy have a lot to do with the benefits payable to you. Short-term disability policies typically cover absences due to disability lasting less than five or six months. They can pay 50-70% of your standard salary and may cover sick leave. Long-term disability insurance plans pay a similar amount, but may last five to 10 years, or possibly until the insured reaches age 65.

A disability insurance plan may include both of these types of coverage. However, there may be different requirements to qualify for benefits when the time comes to switch from short- to long-term coverage. You should find out if your plan includes short-term and long-term coverage and

educate yourself on how to qualify if your disability is lasting longer than you expected.

### How to Get Disability Insurance

If you're starting a new job or interested in a plan offered by your current employer, you can probably contact the human resources department or person in charge of employee benefits to get more information about enrolling. If you're interested in a private plan, you can shop around for insurance quotes just as you would if you were looking for car or health insurance. Comparing plans is a good way to make sure you get the best price and coverage customized to your needs.

You want to thoroughly review any insurance policy before you enroll. If you start a plan, you're obligated to invest in it periodically. By reading your policy, you can ensure that you'll get the coverage you expect from the money you contribute to the plan.



## Employee Retirement Income Security Act (ERISA) Claims

ERISA was passed to standardize the regulation of employer-sponsored insurance policies, such as health insurance or disability insurance, on a national level. The act doesn't require employers to offer benefit plans, including health or disability insurance, to their employees. However, once a plan is established, ERISA ensures that the employer follows the policies and terms outlined in the plan, in addition to giving employees the right to access much more information about their plan.

If your employer's disability insurance carrier is denying coverage even though you meet the requirements outlined in

the policy, you may have an ERISA claim that needs legal intervention. An attorney wants to help you get the disability benefits you are entitled to as an employee who is enrolled in an employer-sponsored insurance plan.

### Claiming Benefits

Unfortunately, some employees will have no choice but to claim benefits from their disability plans. Serious injuries or illnesses happen, and knowing how to pay for the related expenses is essential as you recover. File a claim according to your insurance policy's procedure. Making a phone call or mailing a completed form may be enough to get you on your way to receiving a monthly check for your losses.



## File a Strong Claim

Time is everything when you're sick or injured and out of work. To get benefits as soon as possible through a disability insurance policy, file a strong claim the first time around. The stronger your claim is, the less likely you are to have to go through the daunting appeals process.



The first thing you want to do is get treatment for your injury or illness. You want this treatment to come from a qualified medical professional, either a primary care physician or a specialist, and make sure the treatment is well documented. Your doctor's assessment of your health and overall wellbeing can show the insurance company how many conditions affect your ability to work and live a normal life.

Next, you want to do some research on how the injury or illness affects your ability to work. A person is considered "disabled" by an insurer when they can't perform a job within their ability because of an injury or illness, whether or not the job is within the same career field. For example, your new injury may keep you from sitting for longer than 30 minutes at a time, but you've done receptionist work all of your life. You think you're disabled and you file for benefits, but the insurer might respond to your disability claim by saying you can be a courier or a librarian because the duties are similar but don't require sitting for 8 hours straight each day. Make a strong case to the insurance company by anticipating that they may suggest that you can do other jobs.

### Essentials to getting you claim approved:

- Comprehensive medical treatment
- Assessment of your condition by your treating doctor
- Statement of how your condition affects your life and ability to work
- Analysis of jobs within your vocational abilities

## Disability Disputes

Insurance disputes happen quite often. Your insurance company is a business, so they may try to limit the amount they pay to you by denying or minimizing your benefits. Insurance companies may use the following reasons to resist paying your claim:

- You don't meet the medical requirements.
- You don't meet the income requirements.



- Your employer states that you can continue working in some capacity.
- You haven't been enrolled in the policy long enough.
- You need to apply for Social Security disability first.
- You didn't follow some other procedure outlined in the policy.

An insurance dispute is the last thing you want to deal with when you're sick or injured and out of work. If you think you are entitled to benefits under your disability insurance plan, you have the right to appeal the decision. An attorney at the Coye Law Firm may be able to get benefits on your behalf by investigating the terms of your policy and communicating with the insurance company. We know how difficult it can be to get the benefits you may depend on for income. Call us today.

The Coye Law Firm is dedicated to helping injured employees or consumers claim the benefits they need to recover. This white paper is not intended to take the place of meeting with an experienced attorney, who can assess your situation and determine if legal action is necessary. Call us today at 866-Wade-Coye or visit our websites at [www.coyelaw.com](http://www.coyelaw.com) and [www.coyelawdisabilitycenter.com](http://www.coyelawdisabilitycenter.com) to learn more about our firm and how we may be able to help you. We offer free consultations for our disability clients, so don't hesitate in seeking justice for your denied insurance claim.



**Sometimes, you need justice. Sometimes, you need a lawyer.**

The Coye Law Firm serves all of central Florida and has locations in Orlando, Tampa, Melbourne, Clermont, and Kissimmee to meet with clients at their convenience.