



Disability Benefit Applications: *Proven Strategies and Case Study*

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Your disability application is the first contact you'll have with the insurance company. Like any initial meeting, you want to make a good "first impression." While the questions on the claim forms may seem simple, an ill-considered answer could sabotage your efforts to obtain disability benefits. So, how do you put your best foot forward from the start?

Riemer & Associates has helped thousands of hardworking, disabled professionals and executives successfully apply for disability benefits for over 25 years. We'll work with you to prepare a comprehensive application package to help ensure you win your claim.

To achieve your goals, we need to understand your unique situation. That's why we take the time necessary to listen to you and gain a clear understanding of your medical conditions, symptoms, and the reasons you are unable to work. We'll then implement our proven LTD application strategy, which we have honed over 25 years. In fact, our strategy is so successful we win 95% percent of the claims we file.

Our strategy is designed to maximize your chances of winning your initial application, and to avoid the high costs and delay of an appeal. Here are the pillars:

- **Controlling the Flow of Information.** At the very beginning of the claim, we'll inform the insurance company all communications must go through us. This enables us to keep track of all information sent to the insurer, and ensures you will not receive calls from insurance representatives at odd hours asking questions you are not prepared to answer.

We also will request that the insurance company refrain from contacting your doctor by telephone, as this could be very risky. Insurers often misinterpret or misrepresent these conversations. So, we will insist that the insurer put all questions in writing, and help ensure your doctor submits a written response.

- **Developing a Persuasive Narrative.** Insurers must understand why you can't work. A short statement by your doctor that you are unable to work will be insufficient. Our disability lawyers will spend time analyzing the duties of your job, itemizing your symptoms, and understanding how your symptoms restrict or limit your functional capacity. We then are able to demonstrate why your restrictions and limitations prevent you from performing the duties of your occupation. Our disability lawyers can help ensure you have all the information necessary for claim approval, rather than the minimum required by the insurance company.
- **Obtaining Medical Proof and Assisting Your Doctors.** Every disability application includes a form that must be completed by your doctor(s). This is the most important part of your application. Your doctors are experts in treating you, but are not experts in completing forms or in understanding your occupation. Believing they are helping you, they often give answers the insurance companies will later use against you. We will contact your doctor to help provide guidance. We do not put words into your doctor's mouth, but we'll assist your doctor in presenting all necessary information.

We'll also request medical records and objective evidence from your treating doctor(s), and when necessary detailed narrative reports and Residual Functional Capacity Questionnaires. We also may send you for objective testing (like a Functional Capacity Evaluation or Neuropsychological Evaluation) to help document your impairment and restrictions and limitations.

- **Filing Comprehensive Claim Applications.** Application forms are designed for the benefit of the insurance company and often only provide small boxes to fit your answers. This is a trap designed to prevent you from providing adequate information in support of your claim. Our disability lawyers will prepare extensive riders to your application so the insurer's questions can be answered in full. By answering the questions in full, we submit an application that is for *your* benefit, not for the benefit of the insurance company.



- **Preparing You for Insurer Interviews.** Often insurers will ask to interview you over the telephone or in person. The importance of these interviews should not be overlooked. If an actual medical exam is not requested, the interviewer is often the only person associated with the insurer who will actually speak or meet/observe you. Therefore, we'll work closely with you to prepare you for these interviews. Hundreds of our clients have had these interviews. We, therefore, know what the insurer is probably going to ask you. We'll help you prepare for their anticipated questions, and then attend the interview with you to make sure it goes smoothly. The interview will take place at our office, as opposed to your home (which can feel like an intrusion).
- **Preparing You for Insurer IMEs/FCEs.** Insurers occasionally request you attend an Independent Medical Examination (IME) or Functional Capacity Evaluation (FCE). Precautions should be taken when the insurer demands these examinations. The disability lawyers at our firm will negotiate with the insurer to help ensure these examinations and evaluations are reasonable and convenient to you. If necessary, we also can arrange for a nurse to be present at the examination or evaluation to record what happens and to keep the insurer honest.

We'll keep you updated by phone and email every step of the way. You'll also have 24/7 access to your very own secure Client Portal, where you can check on our progress and get copies of your documents.

To learn more about how our personalized strategy has helped other disabled professionals and executives, read the case study on the next page.



CASE STUDY: "SUCCESSFUL" STEVE

Steve is 45-year-old orthopedic surgeon. About 3 years ago, Steve was involved in a car accident injuring his back and neck. Fortunately, through physical therapy, Steve was able to keep his symptoms at bay and continue working.

His symptoms, however, which included back pain, neck pain and pain radiating to his upper and lower extremities, became progressively worse over time. Steve realized he had to stop working before he accidentally injured a patient. Steve visited his own doctor, who agreed he was no longer able to perform the duties of his occupation.

Steve knew he had benefits under two individual disability policies with the same insurance carrier. Steve contacted the insurer, gave notice of claim, and requested the proof of loss forms. Upon receiving the voluminous and confusing application forms, Steve realized he was in over his head. He couldn't do this alone.

Steve decided to call Riemer & Associates to see how they could help.

Riemer & Associates took the time to listen to Steve and learn more about his specific situation. Steve explained he felt overwhelmed by the application forms and the whole disability process in general. He also expressed his fear he would not be able to pay his mortgage and other bills if his LTD claim was denied.

Understanding Steve's concerns and the stress associated with going out on disability, Riemer & Associates formulated a clear strategy to win Steve's claim.

— Riemer & Associates Strategy —

1. Notify the insurer we represent Steve, and that all communications must go through our office;
2. Contact Steve's doctors to request medical records and a residual functional capacity evaluation;
3. Assist Steve's doctors in completing the Attending Physician Statement;
4. Strengthen the evidence by scheduling Steve to undergo a Functional Capacity Evaluation, which would objectively demonstrate his physical restrictions and limitations;
5. Help Steve develop a persuasive narrative to explain his job duties; conditions; symptoms; restrictions/limitations; and the reasons why he is unable to work in his own occupation;
6. Work closely with Steve to complete the application forms; and
7. Submit the completed application forms and medical evidence to the insurer.

With a plan in place, Riemer & Associates sprang into action.

First, Riemer & Associates sent a letter to the insurance company notifying them Steve had a lawyer. We then requested and obtained supporting medical documentation from Steve's treating doctors and scheduled him to undergo a Functional Capacity Evaluation. As the appointment approached, Riemer & Associates told Steve exactly what to expect so he felt comfortable and confident during the testing. Once the report was ready, Riemer & Associates reviewed it to ensure it was supportive, and even contacted the physical therapist to clarify the results.

Once all the supporting documentation was received, Riemer & Associates completed the LTD application forms on Steve's behalf. Riemer & Associates also worked with Steve to develop a consistent, complete, and comprehensive narrative explaining exactly why Steve could no longer work.

Riemer & Associates then submitted the completed application and medical evidence to the insurer for evaluation. After an initial review of Steve's file, the insurer requested a telephonic interview with Steve. Riemer & Associates had Steve come to their office on the day of the interview to prepare him for the insurer's anticipated questions. Then, Riemer & Associates attended the interview with him to make sure it went smoothly. The interview went well, and within 30 days, Steve's claim was approved.

Steve was so relieved that he wouldn't have to worry about paying his bills and maintaining his financial security. Finally, Steve could focus on his treatment.

**Need help with your claim?
Call us at 212.297.0700**

Riemer & Associates is a firm of disability attorneys based in New York City. The Firm's practice focuses exclusively on long term disability claims, appeals, and litigation. For over 25 years, we have built a thriving practice and national reputation on our unwavering commitment to protecting and fighting for people with disabilities. We have obtained tens of millions of dollars in benefits, settlements and judgments.

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