

April 11, 2025

The Honorable Lori Chavez-DeRemer
Office of the Secretary
U.S. Department of Labor
200 Constitution Ave NW
Room C-2318
Washington, DC 20210

Dear Secretary Chavez-DeRemer:

The undersigned organizations, which represent employers, unions, benefits administrators, health plans, and environmental advocates, **strongly urge the Department of Labor (“DOL”) to prioritize rulemaking to extend the default electronic delivery (e-delivery) safe harbor to health and welfare benefit plan disclosures** under the Employee Retirement Income Security Act of 1974 (“ERISA”).

In 2020, under President Trump, DOL established a default e-delivery safe harbor for ERISA pension plans ([RIN 1210-AB90](#)) and acknowledged that extending this flexibility to ERISA health and welfare plans could achieve a similar “reduction in plan administrative costs and improvement of disclosures’ effectiveness.”¹ Now is the time to take this commonsense step to modernize outdated ERISA regulations, which would alleviate a significant administrative burden for American businesses and unions and help improve the health of American workers.

Specifically, establishing a default e-delivery safe harbor for ERISA health and welfare plans would advance several of the administration’s broader health and economic priorities:

1. **E-delivery reduces the administrative burden for American businesses and unions.** Currently, health and welfare plan administrators must print and mail nearly **11 billion sheets of paper annually** to comply with 50-year-old paper disclosure mandates under ERISA.

In 2020, DOL estimated that the default e-delivery safe harbor for pension plans would save **over \$3.2 billion in the next decade.**² Extending this safe harbor to health and welfare plans could generate even greater cost savings, freeing up millions of dollars annually for American businesses and unions to reinvest in strengthening workforce benefits and operations.

2. **E-delivery improves consumers’ experience with their health information.** Default e-delivery **meets the expectations of today’s workforce**, providing workers with real-time access to critical information about their health benefits wherever they may be. Americans are online now more than ever, and more than **9 in 10 ERISA-covered beneficiaries already say that they most often view information about their health benefits electronically.**³

Unlike paper mail, **e-delivery utilizes greater security and privacy technologies to protect sensitive personal health information.** For example, two-factor authentication and encryption through e-delivery portals safeguard personal health information beyond what is possible with physical mail, which can be lost, stolen, or interrupted.⁴

Under the previous Trump administration, DOL allowed default e-delivery of ERISA pension plan documents and acknowledged that it could create a market-based incentive to improve the quality, accessibility, and functionality of required disclosures.⁵ With these many advantages, a default e-delivery safe harbor for ERISA health and welfare plans is a logical and necessary next step.

3. **E-delivery promotes the health of American workers.** Improved and timely access to health benefits information empowers individuals to make informed decisions about their health care. E-delivery, such as through the “notice-and-access” framework established in the 2020 pension plan safe harbor, can facilitate workers’ timely access and engagement with information about their health, while **improving health outcomes and patient satisfaction, particularly for the millions of Americans with chronic diseases.**⁶
4. **E-delivery reduces environmental waste.** Default e-delivery would also reduce the significant environmental impact of the paper production and delivery required to furnish current physical mailings.⁷ Doing so would **help to ensure a cleaner, healthier future for Americans.**

In a March 2025 national Ipsos survey of ERISA-covered beneficiaries, nearly 8 out of every 10 respondents said they would prefer to switch to default e-delivery to receive their health benefits information. These respondents say that e-delivery is more convenient (80%), less wasteful (87%), and more cost-effective (77%) than regular mail.⁸ Recognizing this clear consumer preference, we are eager to build on the progress made for American workers and businesses under the previous Trump administration by taking this important and straightforward step to improve workers’ health benefits communications. Importantly, consistent with DOL’s 2020 e-delivery safe harbor for ERISA pension plans, we also support preserving the ability for consumers to choose to continue receiving paper at any time.

We respectfully urge the DOL to prioritize rulemaking to establish a default e-delivery safe harbor for ERISA health and welfare plans, in collaboration with the Departments of Health and Human Services and the Treasury, as appropriate. We would also appreciate the opportunity to further discuss this important issue with DOL staff.

Sincerely,

The ERISA Industry Committee

AHIP

American Council of Life Insurers

Business Group on Health

Center for Biological Diversity

Conservatree

Environmental Paper Network

Fidelity Investments

Green America

HR Policy Association

Mercer

MetLife

NAPEO

**National Alliance of Healthcare
Purchaser Coalitions**

**National Association of Dental Plans
(NADP)**

Self-Insurance Institute of America, Inc.

**National Coordinating Committee for
Multiemployer Plans (NCCMP)**

Silicon Valley Employers Forum

National Retail Federation

Sun Life U.S.

**Partnership for Employer-Sponsored
Coverage (P4ESC)**

Upstream

Warner Pacific

CC:

The Honorable Keith Sonderling
Deputy Secretary
U.S. Department of Labor

Peter Nelson
Deputy Administrator and Director
Center for Consumer Information &
Insurance Oversight
Centers for Medicare and Medicaid
Services
U.S. Department of Health and Human
Services

Amber Rivers
Director
Office of Health Plan Standards and
Compliance Assistance
Employee Benefits Security Administration
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Jack Lund
Senior Advisor
Employee Benefits Security Administration
U.S. Department of Labor

Helen Morrison
Benefits Tax Counsel
Office of the Benefits Tax Counsel
Department of Treasury

¹ Employee Benefits Security Administration. 2020. "Default Electronic Disclosure by Employee Pension Benefit Plans Under ERISA." Federal Register. <https://www.federalregister.gov/documents/2020/05/27/2020-10951/default-electronic-disclosure-by-employee-pension-benefit-plans-under-erisa>

² Employee Benefits Security Administration. 2020.

³ National Survey of Employees. March 7th – March 30th, 2025. Ipsos Knowledge Panel & Opt-In Sample Providers. Screening questions and criteria were used to target n=1009 respondents who are enrolled in ERISA-covered health plans. Result is based on n=977 responses.

⁴ Cybersecurity & Infrastructure Security Agency. 2025. "Multifactor Authentication." <https://www.cisa.gov/topics/cybersecurity-best-practices/multifactor-authentication>

⁵ Employee Benefits Security Administration. 2020

⁶ Aboumatar, Pitts, Sharma, et al. 2022. "Patient engagement strategies for adults with chronic conditions: an evidence map." *Syst Rev* (11)39. <https://pmc.ncbi.nlm.nih.gov/articles/PMC8898416/>.

⁷ Environmental Paper Network. 2023. "Modernizing ERISA Health Plan Communications: E-Delivery vs. Paper Mandates." <https://environmentalpaper.org/wp-content/uploads/2023/09/Modernizing-Federal-Paper-Mandates-Report.pdf>.

⁸ National Survey of Employees. March 2025. n=1009.