

September 21, 2026

Submitted Electronically via: www.regulations.gov

Office of Health Plan Standards and Compliance Assistance
Employee Benefits Security Administration
Room N-5653
U.S. Department of Labor
200 Constitution Avenue NW,
Washington, DC 20210
Attention: Electronic Disclosure by Group Health Plans, RIN 1210-AC35.

RE: Electronic Disclosure by Group Health Plans Under ERISA (RIN 1210-AC35)

To Whom It May Concern:

On behalf of the undersigned employers, unions, benefits administrators, health plans, and other key stakeholders, we thank the Department of Labor (DOL) Employee Benefits Security Administration (EBSA) for advancing the “Electronic Disclosure by Group Health Plans Under ERISA” proposed rule which would establish a voluntary default e-delivery safe harbor for group health plan disclosures under the Employee Retirement Income Security Act of 1974 (ERISA).¹

We applaud the administration’s commitment to reducing unnecessary administrative burdens that add to the costs of health care through the commonsense solutions set forth in the proposed rule. By modernizing disclosure delivery requirements, the proposal would allow participants and beneficiaries to receive, manage, and act on important health plan information electronically while preserving meaningful protections for those who prefer paper delivery. Default e-delivery would give patients timely access to and greater control over their health care information, empowering workers and families to make informed care decisions. It would also reduce unnecessary waste, including the trees, water, and energy consumed under the current paper-based system.

Public polling has also found that workers are overwhelmingly comfortable managing their health benefits online, view e-delivery as providing more real-time access to health information, and prefer e-delivery as the default.² In addition, by reducing reliance on costly paper communications, the proposed safe harbor would generate substantial savings, including \$395 million in annual net cost savings according to the Department’s own estimates, with much of those savings expected to reach participants through lower costs or improved services.^{3,4}

¹ See 91 Fed. Reg. 46602 (Jul. 23, 2026)

² ERISA Industry Committee and Ipsos, “ERIC and Ipsos Survey Finds Strong Support for Default E-Delivery of Workers’ Health Benefits Information,” survey results, May 2025, <https://www.eric.org/wp-content/uploads/2025/05/Ipsos-ERIC-ERISA-eDelivery-Poll-Results-5.2025.pdf>.

³ Employee Benefits Security Administration, Department of Labor, “Electronic Disclosure by Group Health Plans Under ERISA,” proposed rule, 91 Fed. Reg. 46602 (July 23, 2026), <https://www.federalregister.gov/documents/2026/07/23/2026-14917/electronic-disclosure-by-group-health-plans-under-erisa>

⁴ Employee Benefits Security Administration, Department of Labor, “Default Electronic Disclosure by Employee Pension Benefit Plans Under ERISA,” final rule, 85 Fed. Reg. 31884 (May 27, 2020), <https://www.federalregister.gov/documents/2020/05/27/2020-10951/default-electronic-disclosure-by-employee-pension-benefit-plans-under-erisa>.

For these reasons, we encourage the Department to use this opportunity to include *all* ERISA-covered welfare plans – including disability coverage, life insurance, fixed indemnity, and other welfare benefits. A harmonized approach across ERISA-covered health and welfare benefit plans would give workers a more predictable experience when receiving plan communications and reduce administrative complexity for employers and plan administrators. It would also produce additional cost savings, with a recent analysis estimating savings of \$19.5 billion over ten years and up to 20 billion sheets of paper saved annually when accounting for the full scope of ERISA health and welfare plan disclosures.^{5,6} By contrast, excluding a large portion of welfare plan disclosures would create fragmented delivery requirements for ERISA benefit disclosures issued by health plan administrators, including Summary Plan Descriptions (SPDs), which frequently include information about welfare benefits such as life insurance and disability coverage.

Thank you again for the administration's leadership on this important reform. We encourage the Department to issue a timely final rule that reflects workers' preferences, reduces unnecessary costs, and maximizes the benefits of default e-delivery across benefit plans.

Sincerely,

The ERISA Industry Committee

AHIP

American Council of Life Insurers (ACLI)

Associated General Contractors of America

Association for Behavioral Health and Wellness
(ABHW)

Business Group on Health

Blue Cross Blue Shield Association

CHRO Association

Delta Dental Plans Association

Environmental Paper Network

Fidelity Investments

Healthcare Leadership Council

Marsh

MetLife

NABIP

National Alliance of Healthcare Purchaser
Coalitions

National Association of Dental Plans (NADP)

National Association of Professional Employer
Organizations

National Coordinating Committee for
Multiemployer Plans (NCCMP)

National Retail Federation

Partnership for Employer Sponsored Coverage
(P4ESC)

Purchaser Business Group on Health

SAG-AFTRA

Self Insurance Institute of America

Silicon Valley Employers Forum

Small Business Majority

U.S. Chamber of Commerce

UnitedHealth Group

⁵ Avalere Health, "Cost Savings Associated with Default E-Delivery for ERISA Health & Welfare Plan Disclosures," memorandum to the ERISA Industry Committee, November 25, 2025, https://www.eric.org/wp-content/uploads/2025/12/ERISA-E-Delivery-Economic-Model-Memo_FINAL.pdf.

⁶ Environmental Paper Network, "Modernizing ERISA Health Plan Disclosure Rules for the Digital Age," July 7, 2026, <https://environmentalpaper.org/wp-content/uploads/2026/07/EPN-Environmental-Analysis-2026-1.pdf>.