

COMPLAINT PROCESS FOR EMPLOYEES IN SELF-INSURED EMPLOYER PLANS



Provided by the Indiana Department of Insurance

When your employer doesn't purchase its employees' health insurance from an insurance company, but instead self-funds the payment of medical expenses of individuals covered under the plan, federal law says that those plans are not regulated by the states. Unfortunately, the Indiana Department of Insurance cannot help you with those types of complaints.

The U.S. Department of Labor regulates self-funded insurance plans. If you are a policyholder of a self-funded insurance plan and you have a complaint, please read the following information to help you properly file your complaint. If you are unsure if you are enrolled in a self-funded insurance plan, please contact your employer's Human Resources Department.

How to File a Complaint

To file a complaint, send the following information to the regional office assigned to your county:

The complainant's contact information, including but not limited to telephone number

The name of the employer

The complaint

Any documentation from your employer regarding employee rights, including but not limited to any notifications or correspondence about appeal process, COBRA, etc.

Contact Information



You may submit a complaint to the EBSA regional office that is assigned to your county of residence.

Complaints may be submitted via standard or certified mail or through EBSA's website at www.dol.gov/ebsa/contactEBSA/consumerassistance.htm

Indiana (Northern)
Chicago Regional Office
John C. Kluczynski
Federal Building
230 S. Dearborn Street,
Suite 2160
Chicago, IL 60604
312-353-0900

Indiana (Southern)
Cincinnati Regional Office
1885 Dixie Highway,
Suite 210
Ft. Wright, KY 41011
859-578-4680

The Employee Benefits Security Administration (EBSA)

EBSA is an agency of the Department of Labor.

The mission of EBSA is to assure the security of the retirement, health and other workplace-related benefits of America's workers and their families.

This is accomplished by creating regulation; educating workers and plan sponsors; and enforcing labor laws.

Under various labor laws, EBSA ensures that employers are properly implementing the rules of the health insurance plans, following the appeals process correctly, and are complying with applicable federal requirements.

WHAT EBSA CAN DO

EBSA reviews the appeal rights of the employee.

- EBSA advises the complainant to follow the appeals process of his employer if he has not already done so.
- If the complainant has exhausted all employer appeal options but is adamant that his claim was incorrectly processed by his employer, EBSA can look at the health plan rules to see if the employer correctly followed the plan rules and procedures.
- If it is unclear whether the plan rules were followed, the complainant should contact the plan administrator for a determination.
- The plan administrator is usually the employer or a third party administrator.

EBSA also reviews the employer's actions to ensure it acted in accordance with federal requirements.



WHAT EBSA CANNOT DO

EBSA cannot make a determination on whether the claim should be paid.

- Only the employer can make such a determination.

The Indiana Department of Insurance (IDOI) protects Indiana's insurance consumers by monitoring and regulating the financial strengths and market conduct activities of insurance companies and agents. The IDOI monitors insurance companies and agents for compliance with state laws to protect consumers and to offer them the best array of insurance products available. The IDOI also assists Hoosiers with insurance questions and provides guidance in understanding how insurance policies work.

For more information, visit the IDOI website at in.gov/idoi.