

110TH CONGRESS
1ST SESSION

H. R. 2622

To amend title I of the Employee Retirement Income Security Act of 1974 to require de novo review of claims determinations made by employee benefit plans.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2007

Mrs. MCCARTHY of New York introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend title I of the Employee Retirement Income Security Act of 1974 to require de novo review of claims determinations made by employee benefit plans.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Equality for Workers
5 under ERISA Act of 2007”.

6 **SEC. 2. DE NOVO REVIEW OF CLAIMS DETERMINATIONS BY**
7 **EMPLOYEE BENEFIT PLANS.**

8 (a) IN GENERAL.—Section 502(e) of the Employee
9 Retirement Income Security Act of 1974 (29 U.S.C.

1 1132(e)) is amended by adding at the end the following
2 new paragraph:

3 “(3) Any action commenced under subsection
4 (a)(1)(B) shall be adjudicated as a de novo proceeding
5 without deference to any claim determination made prior
6 to the commencement of such action.”.

7 (b) EFFECTIVE DATE.—The amendment made by
8 subsection (a) shall apply with respect to claim determina-
9 tions made by plans on or after the date of the enactment
10 of this Act.

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