

The Art of War - Communication

As a former employee of Unum Life Insurance and UNUMProvident, I've seen thousands of communications from claimants; had just as many phone conversations; and have been called quite a few names—some good, some bad, some crazy. Kidding aside, here are the general “rules of engagement” when communicating with any disability claims examiner since all insurers do basically the same things.

Be brief. Anytime a claim is filed with a disability insurer, a phone interview (called a TPC will take place.) Generally, insurers are required, for example, to contact you for such an interview within 3-5 days of assigning your claim to a claims examiner. There is a list of questions approved by management, and all claims handlers are trained to plan the communication in such a way to encourage you to provide information about yourself and your family that can be used adversely against you.

You will be asked “What happened?” “Name your treating physicians.” “What are your prescribed medications?” “What other income do you have?” “Have you applied for SSDI, Worker's Comp etc.?” And so on. Answer all questions honestly, but do not elaborate or volunteer information for which you are not asked. Answer only *what* is asked and stop. I know that's extremely hard, since your first instinct is to want the claims examiner to *believe you* have a credible claim. Remember, the claims specialist's agenda is to close your claim if they can. Toward that end, everything you say can be used against you. Answer the questions asked, then stop talking. Insurers cannot use against you what you do not say.

Resist the temptation to tell the story of your life. I am reminded of one scenario in particular that happened so often at Unum. The claims handler calls the insured for the initial interview and the claimant begins to speak in what seems like an endless story of his/her life. In that conversation, he says “It's going to be hard for me because my wife was just diagnosed with leukemia.” Well, its likely Unum might say you just want to be on disability because you have to take care of your wife. **Anything not directly related to your impairment should not be discussed.**

Here's another example, “My wife is working, so I'm taking care of my kids.” Or “I'm taking care of my grandchildren.” I cannot stress this enough. In addition, DO NOT WRITE LONG LETTERS TO Unum or any other disability insurer. The assumption is, if you can type or write long 10-15 page letters, you can work. Resist the temptation to send any communication more than 1 page to any disability insurer. You are not obligated to tell the insurance company anything that is not directly related to your insurance policy and your impairment.

ABC – “Always Be Cool. As I mentioned in the intro to this article, I have been called everything—my favorite was Attila the Hun, can you believe that? I've listened to profanity, anger, tears, cussing, frustration, threats, desperation, phone slams, you name it, and I've probably been called it. The truth is, though, the claims handler knows something you don't.

When you do this, Unum's in control and you aren't. Please don't ever let an insurance company control you or your claim. Since everything is documented, anything you say, and the manner in which you say it, will be held against you. I know there has been a lot of name calling and judgment making since the 60 Minutes and NBC Dateline programs, but insurers are not concerned with what you say, or, call them.

As a company, they are only concerned in using what you say as a reason to peg you as a "nut" and support your claim for denial. Whenever you feel like calling the claims examiner names, or telling claims reps to "stuff it," go into a closet let it all out, then write a short, polite letter discussing only the facts of your claim, limited to one or two paragraphs, making sure to keep a copy. You are talking to an insurance company who does not care what you call them, so don't bother.

Never download medical information from the Internet and send it in. Why not? Insurers really don't care. They won't read it. It may get pitched. It will be used against you. If your insurer has made a decision to disregard the opinions of your primary care physician, why would they care about medical information YOU downloaded from the Internet about your impairment? Technically, if you send it in, it is supposed to be a part of the Administrative Record (your claim file). I had an attorney from Unum's legal department tell me once "All that means is that the claimant's attorney knows how to use the Internet."

Most insurers scan and image all paper now in a data center so it would be interesting to see just how much of downloaded "stuff" from the Internet is actually scanned on the permanent record. (Image) When it was an "all paper claim" most of this information "hit the can." If your occupation was as a Secretary, for example, sitting at a computer, downloading, and printing a lot of paperwork to send to Unum could be interpreted as work capacity. Don't bother, no insurer cares about information you submit from the Internet.

Maintain a journal, or keep a complete paper record. Getting angry will not serve you well when dealing with any disability insurer. Make sure you start a journal or diary and keep records of all conversations you have with your claims specialist. Ask for names of Consultants, Managers, Directors, Vocational and Medical reviewers and document the substance of every conversation and call you have and receive from your disability insurer. Sometimes the claims examiners are not very professional with you, so make sure you document those conversations as well.

DCS recommends requesting all communications in writing and avoiding the irate claims specialists all together.

I know it is difficult enough trying to get a disability claim paid these days. It's a frustrating process. But, name calling, accusations, anger and profanity just come back to haunt you in the end. Engaging in such conversation gives the insurance company control over you and your claim. Don't give them that kind of power.

Besides, these days it's usually the claims specialists who are rude, condescending, and negative. If you request all communications in writing, claims reps are reluctant to memorialize their bad manners.