

Dear Karen and Lucy,

Please accept my comments in reference to the proposed changes for the agenda item document attached. I recommend that the language be amended as follows:

My comments on Page 5 are as follows:

(2) A waiver benefit form that includes an active employment requirement with respect to disability shall comply with the following:

(a) The definition of employment may refer to the insured's own occupation or one for which he or she is suited or becomes suited by reason of education, training or experience. The waiver benefit form shall not define employment as an occupation that he or she could or may become suited for in the future.

(b) If applied to a homemaker or student, the definition of employment shall provide that the homemaker is unable to perform the customary duties of a homemaker or that the student is unable to attend regularly scheduled classes. (\*\*What happens for students who are enrolled in "online" coursework? Attendance may be recorded based on the student's participation in the class rather than a campus that requires maneuvering an expanse of campus with multiple buildings, etc. This may require additional clarification associated with what is anticipated in attending a "regularly scheduled class...".\*\*)

My comments pertain to Page 1 and the definitions of “Qualifying Event”.

“Qualifying event” means any of the following, as long as the event meets the requirements of this standard:

(1) The diagnosis of limited life expectancy, impairment, or disability or the occurrence of unemployment.

(2) The receipt of health care services.

(1) Diagnosis of limited life expectancy or life-threatening condition;

(2) Diagnosis of Cognitive impairment; (\*\*The determination for cognitive impairment requires clarification through a licensed practitioner or some other means that can be consistently applied. Cognitive impairment should be determined through the same means that illness is diagnosed since it can occur through trauma with no associated “illness” or be associated with an illness.\*\*)

(3) Assessment by qualified professional establishing Inability to perform certain activities of daily living;