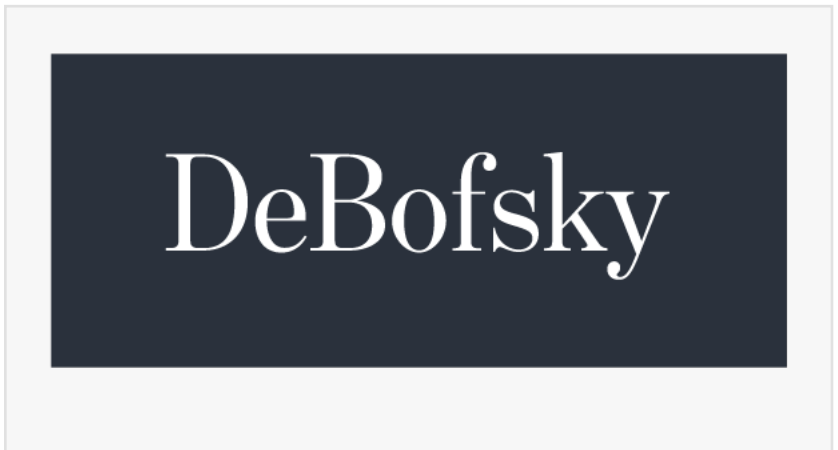


# DeBofsky Law Urges Workers to Understand ERISA Before a Benefits Denial — Not After

CHICAGO, IL, UNITED STATES, May 14, 2026 /EINPresswire.com/ -- [DeBofsky Law](#), a national law firm exclusively focused on ERISA, disability, and life and AD&D insurance benefits litigation, is calling on American workers, employers, and benefits professionals to treat ERISA literacy as a workplace priority — not an afterthought triggered by a denied claim.



ERISA, the Employee Retirement Income Security Act, has governed private-sector employee benefits since 1974. It covers health insurance, disability insurance, life insurance, and retirement benefits for more than 130 million Americans. Despite its reach, most workers have no working knowledge of the law, the rights it provides, or the strict procedural requirements that apply when a claim is denied.

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*Mark DeBofsky - Partner at  
DeBofsky Law*

“ERISA is probably the most important federal law on the books that hardly anyone knows anything about,” said Mark DeBofsky, founding attorney at DeBofsky Law and one of the foremost ERISA litigators in the United States. “As long as benefits are flowing, people don't pay attention. But the moment a claim is denied, they're suddenly in the middle of a complex federal legal process with deadlines

they didn't know existed and rules that heavily favour the insurer.”

## Key ERISA Facts Workers Should Know

Under ERISA, a denied claimant has 180 days to file an administrative appeal with the insurer. That appeal must be exhausted before a case can proceed to federal court. Once in court, there is no right to a jury trial, and a judge reviews the insurer's decision under a deferential standard — meaning an insurer can prevail even when their determination was incorrect, provided it was not deemed unreasonable.

Critically, the evidentiary record is largely closed after the appeal. Medical documentation, vocational assessments, and other supporting evidence not submitted during the appeal process typically cannot be introduced in court.

"The appeal is a legal proceeding, even though it's being handled by insurance adjusters," DeBofsky said. "What gets left out of that record often cannot be added later. Most claimants don't know that until it's too late."

DeBofsky also cautions that not all legal representation is equivalent in ERISA matters. Attorneys with backgrounds in Social Security disability or general personal injury litigation may lack the specific procedural experience that federal ERISA claims require.

### About DeBofsky Law

DeBofsky Law exclusively represents individuals whose disability, life, or ERISA-governed insurance benefits have been denied. Founding attorney Mark DeBofsky has argued precedent-setting cases at the federal appellate level, authored legal treatises on employee benefits law, and taught other attorneys how to litigate ERISA claims. The firm holds a 100% five-star rating across 136 client testimonials and serves clients nationwide.

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