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# When Are Short Term Disability Claims NOT Governed by ERISA — This Case Explains When State Law Claims Are Not Preempted

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When does ERISA govern short term disability payments? Take a look at this recent case, *Behjou v. Bank of America et. al*, [PDF] \_\_\_ F.Supp. 3d \_\_\_ (N.D. California May 1, 2012). FACTS: Behjou brought short term disability and long term disability claims under the Bank of America (BOA) ERISA plan. When the benefits were denied, Behjou...