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February 28, 2019 Blog

ERISA: 1st Circuit - Can a Claimant Save an Untimely Administrative Appeal by Arguing the "Substantial Compliance" Doctrine?

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You already know that ERISA sets forth a 180-day time limit for internal administrative appeals of benefit denials. And failure to pursue a timely internal administrative appeal can subject the claimant (in a later federal lawsuit) to the defense of failure to exhaust administrative remedies. But can a claimant save an untimely administrative appeal by...