



Group benefits

# The ins and outs of disability insurance

Answers to frequently asked questions about disability insurance for attorneys



**Know all the particulars when it comes to disability insurance?** It's no secret disability insurance contracts have plenty of moving parts. And just like no two groups of employees are the same, no two disability contracts are, either.

## Top 8 disability FAQs for attorneys

To make sure your firm's employees have their income protected in case they become too sick or hurt to work, here are eight things you need to know.

**1 What qualifies a person for disability insurance?** The most important part of a disability contract is its definition of disability. The definition determines who's qualified to receive benefits and who isn't. And definitions can vary by contract and carrier, so it's a good idea to make sure you understand how your contract defines disability.

**2 What about attorneys who have specialized areas of practice?** Attorneys' duties differ by area of expertise. For example, a patent attorney doesn't perform the same duties as a trial attorney. A family attorney's day-to-day tasks differ from a corporate attorney's.

A specialty own occupation definition of disability protects attorneys by evaluating them based on their ability or inability to perform in the specialty area of law they're working in when the disability begins.

**3 If an employee returns to work after a disability and becomes disabled from the same or a related cause, does the employee have to satisfy the elimination period again?** The elimination period is the number of days or weeks before benefit payments begin. Disability contracts have a feature called recurrent disability, which helps ensure an employee doesn't need to go through more than one elimination period for the same or a related disability. This feature varies from carrier to carrier.

**Your attorneys and staff have specific needs when it comes to insurance.**

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- 4 **Is the maximum monthly benefit enough for all employees in your firm?** Group disability policies may not always meet the income protection needs of everyone, especially higher paid attorneys. That's where individual disability insurance comes in. It can help fill gaps in coverage.
- 5 **What would be the financial impact on your firm if a key partner were unable to work?** One person's absence can cause a ripple effect on a law firm. A business protection provision can help cover overhead expenses and keep your firm on its feet if a key shareholder or partner becomes disabled.
- 6 **Is there special protection to help attorneys as they rebuild their client base after a disability?** An extended earning protection benefit helps attorneys bridge the potential earnings gap while they work to rebuild their client base.
- 7 **How are benefits affected by employees who normally work more than 40 hours a week?** You may have attorneys who work more than 40 hours a week. If so, check your disability contract to see if it includes language about employees not being considered disabled if they can work at least 40 hours per week. For example, attorneys who normally work 60 hours, become disabled, and are later cleared to work 40 hours may no longer receive benefits.
- 8 **Would employees be denied disability benefits if they don't get medical attention for a pre-existing condition?** Many disability contracts limit or exclude coverage for pre-existing conditions. Keep in mind that stronger limits may apply if the reason for the disability can be traced back to a prior condition that a reasonably practical person would have sought medical treatment for.

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