

Publications

# Groom Law Group Files Amicus Curiae Brief in Supreme Court Treating Physician Rule Case

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The Supreme Court granted certiorari in *Nord v. The Black and Decker Disability Plan* to address the Ninth Circuit's adoption of the treating physician rule for ERISA benefit claims cases. This rule arises out of Social Security disability law and states that disability benefit claims decisions must accord a high degree of deference to the views of the claimant's treating physician when deciding whether the claimant is entitled to disability benefits.

In *Nord*, the Ninth Circuit relied on the treating physician rule to reverse a plan's denial of disability benefits. The Sixth Circuit followed the Ninth Circuit in *Darland v. Fortis Benefits Insurance Company*. On behalf of the Bert Bell/Pete Rozelle NFL Player Retirement Plan, Groom Law Group recently filed a brief as amicus curiae on the merits in *Nord* arguing that the treating physician rule has no role in ERISA.

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