

ME/CFS DISABILITY HANDBOOK

THE BASICS OF A ME/CFS DISABILITY INSURANCE CLAIM *FROM THE EXPERTS*



DABDOUB LAW FIRM
DISABILITY INSURANCE & ERISA ATTORNEYS

I. ABOUT THE AUTHOR



“When you spend every day of your legal career committed to one area of the law, you become really good at it. And when you become very good at what you do, you do it with great success.”

— Edward Dabdoub

Edward first represented a man suffering from chronic pain while in law school whose disability benefits were wrongly terminated. Edward won back his disability benefits. With that experience, he saw firsthand how his work positively impacted someone’s life. From that day, he decided to dedicate his legal career to helping people who were too sick or injured to work and to hold insurance companies accountable to the promise to pay disability benefits if the insured became disabled.

Dabdoub Law Firm was built for the sole purpose of helping people get their disability benefits from insurance companies. The firm never represents insurance companies.

Led by nationally recognized attorney, Edward Dabdoub, the attorneys and staff at Dabdoub Law Firm spend every day fighting for their clients’ disability insurance benefits.

The firm handles disability insurance claims at any stage, including:

- Filing an initial claim for short-term and/or long-term benefits
- Preparing and submitting an appeal to the insurance company
- Litigating cases in federal court
- Managing a claim with the insurance company

Our attorneys have successfully handled some of the most unique and complex disability insurance cases, including ME/CFS. We have developed a winning strategy for these cases using various objective tests, medical records, doctor support, and ME/CFS expert opinions.

II. INTRODUCTION

Myalgic Encephalomyelitis/Chronic Fatigue Syndrome (“ME/CFS”) is a complex and often misunderstood medical condition. This guidebook aims to provide a comprehensive overview of ME/CFS, its common symptoms, and the challenges faced when filing a disability insurance claim based on this condition. Understanding the complexity of these claims can help you navigate the claims process more effectively.

III. WHAT DO I NEED TO KNOW ABOUT A ME/CFS DISABILITY CLAIM?

Filing a disability insurance claim for ME/CFS can be particularly challenging due to the nature of the condition. Common issues include:

1. **Lack of Objective Evidence:** ME/CFS does not have definitive diagnostic tests, which can make it difficult to provide the objective medical evidence often required by insurers.
2. **Subjective Symptoms:** Symptoms such as fatigue and cognitive impairment are subjective and can be hard to quantify, leading to skepticism from insurers.
3. **Misunderstanding and Stigma:** There is still significant misunderstanding and stigma surrounding ME/CFS, which can affect how claims are perceived and handled by insurance companies.
4. **Documentation Requirements:** Insurers often require extensive medical documentation, including detailed records of symptoms, treatments, and their impacts on daily life.
5. **Denials and Appeals:** Initial claims are frequently denied, requiring patients to go through lengthy and complex appeals processes.

STEPS TO STRENGTHEN YOUR CLAIM

Despite these challenges, there are steps you can take to strengthen your disability insurance claim for ME/CFS:

1. **Comprehensive Medical Documentation:**
 - o Ensure that your medical records are thorough and up-to-date. It is important to regularly treat with your doctor, even if it is to have a check in visit and document ongoing symptoms and/or no change in your condition.
 - o Your healthcare providers should thoroughly document your symptoms, functional limitations, and the impact on your daily life.
 - o Obtain a statement from your physician that supports your diagnosis and outlines how your condition prevents you from working.

2. Cardiopulmonary Exercise Testing (“CPET”):

- The CPET is a highly specialized test that measures your body’s response to physical exertion, providing objective data on exercise capacity and endurance. For ME/CFS patients, CPET can demonstrate post-exertional malaise (PEM) and reduced functional capacity, which are key symptoms of the condition. A two-day CPET can further illustrate the delayed recovery characteristic of ME/CFS, strengthening your claim with clear, objective evidence.

3. Neuropsychological Evaluations:

- Undergo a neuropsychological evaluation to assess cognitive impairments often associated with ME/CFS, such as memory issues, difficulty concentrating, and slowed information processing. These evaluations provide objective data on the extent and impact of cognitive dysfunction, which can be a critical component of your disability claim.

4. Symptom Diaries:

- Keep a daily diary of your symptoms, their severity, and how they affect your ability to perform daily activities. This can provide a clear picture of the variability and impact of your condition.

5. Vocational Assessments:

- Consider obtaining a vocational assessment that documents your inability to perform not only your previous job but any gainful employment due to your condition.

IV. CONCLUSION

Filing a disability insurance claim for ME/CFS can be a daunting and challenging process. However, with thorough documentation, supportive evaluations, and professional assistance, it is possible to navigate this process successfully. Understanding the nature of ME/CFS, the common symptoms, and the issues often seen in filing claims can empower patients and their advocates to present a strong case and secure the benefits they need and deserve.

V. WHY DO I NEED AN ERISA DISABILITY INSURANCE ATTORNEY?

Disability insurance law is complicated, and your financial future is on the line. You need an advocate. But, just as important, you need an advocate who knows disability insurance law with experience handling LTD claims at all stages.

You don’t want to be in the face of an appeal denial wishing you had done more or done things differently.

Dabdoub Law Firm is a firm built for the sole purpose of representing people in their fight for disability insurance benefits. Each attorney in the firm focuses solely on this area of the law. We have handled claims against every major insurance carrier involving a wide variety of common

and unique medical conditions. We know the tactics of each insurance company and how to push back on them.

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