



Life, Health and Disability

February 2017

In *Geiger v.*

Aetna Life Ins. Co., ___ F.3d ___, 2017 WL 65386

(7th Cir. January 6, 2017), the Seventh Circuit recognized that claims administrators are not precluded from terminating long term disability benefits even if, in the past, they reviewed and reversed a termination decision. In other words, claims administrators can change their minds after considering additional evidence. In *Geiger*, plaintiff alleged her back and ankle problems prevented her from walking without a cane or other assistive device. Aetna acquired surveillance video of Geiger walking and shopping. Aetna shared the video with Geiger's treating physicians. Aetna also obtained "numerous independent physician peer reviews" and the reviewing physicians reached out to Geiger's physicians to address concerns. *Id.* at *5. In light of this record, the Seventh Circuit held that Aetna's decision to terminate Geiger's long term disability benefits was not arbitrary and capricious. It further found that Aetna's claim procedures were "reasonable and sufficiently safeguarded against a detrimental conflict of interest." *Id.* Thus, the court also denied Geiger's request for discovery.