PROTECTING THE ONES YOU LOVE: LEGAL & INSURANCE TOOLS FOR ME/CFS CAREGIVERS

Learn how to navigate long-term disability, long-term care, and legal planning while supporting someone you love in this free educational webinar.

Wednesday, Feb. 11, 2026
12-1 PM PT / 3-4 PM ET

Monique Wike
Director of Advocacy
Solve M.E.

Andrew Kantor, Esq.
Senior Partner
Kantor & Kantor, LLP

KANTOR & KANTOR LLP

Andrew Kantor, Esq.

Andrew Kantor is a Senior Partner at Kantor & Kantor, LLP, one of the nation's leading law firms representing individuals whose disability, life, and health insurance claims have been wrongfully denied. With a career rooted in compassion and advocacy, Andrew has dedicated his practice to helping people secure the benefits they deserve - particularly those living with chronic, invisible, or mental health conditions.

His practice focuses on ERISA and bad faith insurance litigation, with landmark victories that have shaped how disability insurers must interpret and administer their policies. Andrew is deeply engaged in education and advocacy around mental health and disability rights. Andrew holds a Juris Doctor from the University of California, Irvine School of Law, an MBA from Union Graduate College / Clarkson University (magna cum laude), and a Bachelor of Arts from Union College (cum laude, departmental honors). Andrew approaches his work with empathy and determination - believing that every client deserves not only strong legal advocacy, but also respect, understanding, and hope.

Protecting the Ones You Love: Legal & Insurance Tools for ME/CFS Caregivers

PRESENTED BY ANDREW KANTOR

SENIOR PARTNER, KANTOR & KANTOR, LLP

IN PARTNERSHIP WITH

Solve M.E.

Introduction – A Bit About Me

- **Legal Focus**
  - Long-Term Disability (LTD) and Long-Term Care (LTC) claims and litigation
- **Experience with ME/CFS**
  - Representing individuals and families with ME/CFS for over a decade
  - Deep experience navigating insurance claims, appeals, and litigation.

Disability Benefits

Definition of Disability

- Varies, but in the simplest terms, being unable to work despite reasonable accommodations.

Main Sources of Disability Benefits

- Social Security Disability Insurance (SSDI)
- Private Short-Term (STD) and Long-Term Disability
- Sometimes: State Disability & Worker's Compensation

Long-Term Care (LTC) Insurance

What is Long-Term Care Insurance?

- Provides benefits to pay for caregiving if you can no longer take care of yourself.
- Separate from medical insurance.
- Requires you be severely cognitively impaired OR unable to perform two or more activities of daily living.

Why ME/CFS LTD and LTC Claims Are Often Denied

Why ME/CFS Claims Are Often Denied

- **LTD Claim Challenges:**
  - Policy Limitations
    - Mental Health Limitation
    - Chronic Fatigue Syndrome Limitation
  - Lack of Sufficient Documentation
  - Lack of Objective Evidence

Why ME/CFS Claims Are Often Denied

- **Long-Term Care Claim Challenges**
  - Lack of insurer familiarity with ME/CFS
  - Failure to recognize fluctuating or invisible limitations
  - Overreliance on brief assessments that miss day-to-day reality
  - Poor documentation of care

Why ME/CFS Claims Are Often Denied

- **Common Insurance Company Arguments**
  - "You are medically stable."
  - "You can attend medical appointments or care for family members; therefore, you are able to function."
  - LTD - "Your condition can be accommodated in a work setting."

Practical Steps for Caregivers

(When LTD or LTC Coverage is Available)

Caregivers:
Secure Benefits and Long-Term Stability

For Those Still Working and Considering Long-Term Disability (LTD)

- If possible, consider requesting reasonable workplace accommodations **before** filing a disability claim.
- If accommodations are denied or prove ineffective, that history can help support a future LTD claim.

Possible Accommodations

1. Flexible Hours
2. Remote Work
3. Additional time to complete tasks
4. Naps

Caregivers:
Secure Benefits and Long-Term Stability

For Those Considering a Long-Term Care (LTC) Claim

- Review the policy's rules on **family caregivers**.
    - Some policies allow family members to provide care and be reimbursed; others require professional caregivers.
- Confirm the **daily benefit amount** and how it is calculated.
- Understand what **types of care** are covered – such as in-home assistance, assisted living, nursing facility care, or a combination.

Caregivers:
Secure Benefits and Long-Term Stability

1. **Get Organized Early**
   - Collect insurance policies, plan documents, and deadlines.
   - Keep a centralized medical and caregiving file.
   - Symptom logs can be critical.
2. **Build Strong Medical Support**
   - Ensure providers clearly document functional limitations.
   - Ask doctors to connect symptoms to work and daily activities.

Tips on Doctor Interactions

1. Don’t be a superhero.
2. Bring in outside documentation, including symptom logs.
3. Take notes.
4. Ask for copies of medical records to confirm accuracy and completeness.

Caregivers: Secure Benefits and Long-Term Stability

3. Track Daily Functioning

- Keep regular logs of fatigue, post-exertional malaise (PEM), and daily care needs.
- Document difficult or “bad” days - not just occasional better days.

4. Be Strategic With Claims

- Avoid oversimplified or rushed applications.
- Understand how insurers interpret policy language.
- Know the difference between **medical evidence** and **medical support** (they are not the same).
  - e.g. Lab Results

Caregivers:
Secure Benefits and Long-Term Stability

5. Prepare for Pushback

- Denials, additional exams, and follow-up reviews are common.
- Insurers may monitor activity, including online presence.
- An initial decision is not always the final word.
- Appeals matter – and timing matters.
- Consider speaking with a lawyer **before taking next steps**.

6. Seek Help When Needed

- Legal guidance can help balance an uneven process.
- Early advice can prevent avoidable and costly mistakes.

Guidance for Caregivers When LTD or LTC Coverage Isn't Available

When Formal Benefits Aren’t Available

- **Explore SSDI and SSI eligibility as a possible foundation.**
- **Investigate state and local assistance programs, which can vary widely.**
  - California PFML offers paid time off to care for family members.
- **Look into Medicaid waiver programs that may cover in-home care.**
  - Home and Community Based Services Waivers
- **Identify nonprofit grants and disease-specific resources for financial or caregiving support.**
  - Solve M.E. and other ME/CFS support groups
  - Reddit
    - Subreddits, community-based discussions, resource sharing, etc.

Financial & Legal Planning Tips

- **Create or update key legal documents, including:**
  - Powers of attorney
  - Health care directives
  - Special needs or supplemental planning tools
  - Wills & Trusts
- **Review household finances and plan for potential income changes.**
- **Consider long-term living arrangements.**

Steps if you need a POA:

1. **Figure out Financial vs. Medical POA**
2. **Decide on the Agent, and backup Agent**.
   - Includes limits on what Agent can or cannot do.
3. **Google POA forms** (state-specific).
   - You can also **reach out to a legal aid group for more guidance.**
4. **Decide When POA takes effect**. (Immediate or contingent)
5. **<u>Sign on time</u>**.
   - **Signer** must be mentally competent. Use a mobile notary if signer is bedbound.

Caregiver Self-Protection

- **Protect against caregiver burnout.**
  - Caregiving is a long-term marathon, not a sprint.
- **Document caregiving responsibilities and time spent.**
  - This can be especially important for LTC claims when a family member is an approved caregiver.
- **Seek respite care and community support** whenever possible.

Do You Need to Hire a Lawyer?

- Often, no.
- Many people do not need to pay a lawyer unless a claim is denied.
- That said, a free consultation before filing can help identify issues early and avoid costly mistakes.

Conclusion

THANK YOU!

KANTOR & KANTOR LLP

Solve M.E.

If you need this information in an alternate format for accessibility, please contact us - we're happy to help.

Contact Us

Website: www.kantorlaw.net

Phone Number: (855)532-1328

Email: intake@kantorlaw.net

Follow us to stay informed about your rights, access free resources, and hear real stories from people just like you.

LinkedIn: Kantor & Kantor LLP
YouTube: @KantorKantorLLPAttorneys

Facebook: @KantorandKantor
Instagram: @kantorkantorlaw

Solve M.E.

Website: www.solvecfs.org
Phone Number: (704) 364-0016
Email: SolveCFS@SolveCFS.org

LinkedIn: Solve ME/CFS Initiative
Facebook: @SolveMECFSInitiative
Instagram: @solve_cfs
YouTube: @SolveME
X: @PlzSolveCFS

Questions or Situations You'd Like to Talk Through?

You could fund the next big breakthrough!

We hope you enjoyed this free webinar!
Our research, advocacy and educational programs are only possible with donor support.

Solve M.E. leverages donor contributions into bigger gains in cures and treatment for ME/CFS, Long Covid, and other post-infection diseases.

Please consider supporting our work with a gift today.
Go to SolveME.org/donate or use this QR code.

Together, we can turn research into reality.

Scan to Donate

Join our online community!

Twitter
@PlzSolveCFS

Facebook
Solve
MECFS
Initiative

Instagram
@solve_cfs

YouTube
SolveCFS

LinkedIn
Solve
ME/CFS
Initiative

Be at the Center of the Solution

Get updates on upcoming webinars: **http://solvecfs.org/events**

Get the latest Solve news: **http://solvecfs.org/newsletters**

Drive research and fund progress: **https://solvecfs.org/donate**

Join the unhide® Solve Together Unified Platform: **https://unhidenow.org/**