

**THE
ROSENBAUM
LAW FIRM P.C.**

THE LAW FIRM REVIEW

A Publication for Plan Sponsors and Retirement Plan Professionals

401(k) Options That Must Be Obligatory For Plan Sponsors.

They need to be obligatory.

Buying a car isn't easy because it's confusing with the different option packages and trims. Sometimes I jokingly ask whether a steering wheel comes standard or whether it's an option for a more expensive package. For a 401(k) plan sponsor, there are a lot of options out there and while some features are options, it's my opinions that some options need to be obligatory. So this article is 401(k) plan options that need to be compulsory for plan sponsors to select.



For the article, click [here](#).

Important Tasks That Many 401(k) Plan Sponsors Ignore.

They can't be forgotten about.



When I was a kid, there were advertising campaigns that advised people to check their blood pressure because it's always a great barometer of one's health. When I was a teenager, the campaign with blood pressure was so successful, they eventually started a campaign for people to find out their cholesterol level. I have to say that as an ERISA for 20 years, I have been part of a retirement plan industry that has stressed the need for

401(k) plan sponsors to understand their fiduciary duties as plan sponsors and the need to take care of certain tasks. That campaign has been a little successful, yet there are just too many tasks that 401(k) plan sponsors don't complete and which puts them in harm's way. This article is about the tasks that plan sponsors should complete, but many don't.

To read the article, please click [here](#).

When A 401(k) Plan Sponsor May Have To Fire Their Advisor.

It might come to that.

For most 401(k) plan sponsors, it's the financial advisor that serves as their ombudsman. They're usually the provider that the plan sponsor relies on most to provide referrals to other providers such as third-party administrators (TPAs) and to help out when things aren't going so well. One big part of when things aren't going so well is when the financial advisor isn't doing their job competently and doing a disservice to the plan sponsor. This article is about situations where the plan sponsor may have to fire their financial advisor.



To read this article, please click [here](#).

New Year's Resolution should be a plan review.

Should be done.



You know it's all about New Year's Resolutions when Target gets rid of the Christmas items and starts offering organization and cleaning supplies. The beginning of the year is about self-care and taking care of things that you either promised or finally have the time for.

For a plan sponsor, I think part of keeping a New Year's resolution is getting your plan reviewed by an independent plan provider. I have a Retirement Plan Tune-Up legal plan review for \$750 which can be paid from

plan assets and other plan providers offer these type of reviews.

I think it's important to discover errors before they become bigger and costlier to fix. I know most plan sponsors don't want to do it, but I find that getting things corrected before they become unavoidable plan problems is costlier and causes fewer headaches.

With time before your third-party administrator asks about the end of the plan year census information, it's important to get a plan review because now it's the season.

The end of the determination letter program and what it means.

What it could mean to your plan document.

For the past 15 years, it's been apparent that the Internal Revenue

Service (IRS) wanted to be out of the favorable determination letter business. Over time, the IRS was limiting when they would issue determination letters.

When I first started in the retirement letter plan business, it was pretty much required that every retirement plan document that wasn't a standardized prototype should get one. Then the IRS ruled that every line by line adopter of a volume submitter or prototype document (including non-standardized) didn't need one either. Then they pretty ruled you only should get one when it was an initial plan document and when the plan was terminating.

What does it mean? It means that the IRS wants their agents less focused on opining how documents are drafted and more emphasis on voluntary compliance program applications and more audits. It means that since plans can no longer rely on IRS approval on their plan documents, they will need to have more emphasis on making sure that their plan document and their plan operation are in compliance, especially if there are more IRS audits in the field.

I recently spoke to an IRS agent about a determination letter application for a plan termination and he indicated major changes in his office and his change of operation to handling VCP applications. Less determination letter requests mean less work in my office for the last 8 years in that part, but it means I've had more work in voluntary compliance submissions, as well as late deposits of 401(k) deferrals.

Join me in St. Pete for a unique plan sponsor event, \$35 for 401(k) info and an event you won't forget.

Friday, March 8, St. Petersburg, Florida, Tropicana Field.



This March, I will host the first That 401(k) Plan Sponsor Forum, which is geared towards plan sponsors. It will be similar to That 401(k) Conference, which is my event for 401(k) financial advisors. For \$35, you get 4 hours of content to help you as a plan sponsor, lunch, and a meet and greet with baseball great (TBA).

As a plan provider, it's a great event to sponsor and interact with plan sponsors by either speaking through a presenting

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JUN 16 2016

BOGIES FOR THE BRAVE INC
15 SOUTHWOOD ROAD
NEWINGTON, CT 06111-0000

Employer Identification Number:
81-2851605
EIN:
26053565004076
Contact Person:
CUSTOMER SERVICE ID# 31954
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
509(a)(2)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
June 2, 2016
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

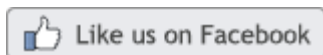
For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

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sponsorship or as a supporting sponsor.

Registration information can be found [here](#).

Sponsorship information for both St. Pete events can be found [here](#).



The Rosenbaum Law Firm Review, February 2019 , Vol. 10 No. 2

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