

Advanced Pension Conference

February 6-8, 2019 • Orlando, FL
Hard Rock Hotel at Universal Orlando

Empowering
the Financial World 

Agenda

Wednesday, February 6

8:00 - 8:30 a.m. Registration/Continental Breakfast

General Session

8:30 - 8:45 a.m.

Welcome and Announcements

8:45 - 10:25 a.m.

Keeping Current – Ferenczy, Watson

Join Ilene and Derrin for an entertaining session that highlights the latest guidance from Congress, the IRS, the DOL, and the courts. Emphasis is given to areas not covered elsewhere in the program.

10:25 - 10:45 a.m.

Refreshment Break

10:45 - 12:00 p.m.

Plan Document Updates – Watson

We are currently in the 403(b) and defined benefit plan restatement periods. The next defined contribution plan restatement period will also be upon us relatively soon. This session will highlight key issues relating to the 403(b) and defined plan restatements. In addition, we will cover what to expect for the next cycle of defined contribution plan restatements. We will conclude with a discussion of recent and upcoming interim plan amendments.

12:00 - 1:15 p.m.

Hosted Luncheon

1:15 - 2:15 p.m.

Advanced Hardship Distributions – Schultz

An in-depth review of the rules surrounding hardship distributions, including recent changes regarding documentation of need, safe harbor hardship purposes, and source limitations. The session will include a review of practical examples.

2:15 - 2:30 p.m.

Refreshment Break

2:30 - 3:45 p.m.

Pension Jeopardy – Panel

Join Derrin as he hosts our version of the popular game show. Topical questions test the knowledge of our expert speakers. This session is not only fun, but also highlights important pension issues in a memorable way.

3:45 - 4:00 p.m.

Stretch Break

4:00 - 5:15 p.m.

Fiduciary Regulation Update – Ferenczy, Schultz, Watson

The slow motion saga of the DOL's effort to update the "fiduciary regulations" pertaining to investment professionals, continues and the landscape has changed yet again. Get the latest updates on the legal standards and current fiduciary best practices for TPAs, recordkeepers, and investment professionals.

5:15 p.m.

Cocktail Reception

Thursday, February 7

8:00 - 8:30 a.m. Continental Breakfast

Concurrent Sessions 8:30 a.m. - 5:00 p.m. – Group I sessions are 60 minutes each. Group II sessions are 75 minutes each. Attend **two** topics from Group I and **two** from Group II.

GROUP I: 8:30 - 9:30 a.m. and repeated 9:40 - 10:40 a.m.

- 01. Breaking Up is Hard to Do (When to End Client Relationships) – Ferenczy**
Saying goodbye to a client is never easy, even when it's not a matter of anyone being angry at anyone else. Nonetheless, there are techniques you can use to make the termination process easier and to learn from the changes to help you better service your remaining and future clients. Furthermore, there are things you need to do to make sure that you do not find yourself with significant liability for the foreseeable future. Join Ilene Ferenczy for a discussion of approaches to use to have this transition occur carefully and relatively painlessly while helping you and your firm perform better in the future.
- 02. I Was Lost but May Be Found: Dealing with Missing Participants and the New PBGC Program – Schultz**
Do you get excited when you find \$5 in your pants pocket? Then you probably go nuts over missing participants and uncashed checks. This session will dive into the ERISA obligations that apply to missing people and money, what options are available for finding and managing missing participants, and the frequency with which this cleansing ritual should be done. David will answer how the new proposed PBGC program for missing participant will work and whether you will have to use it. And what if your check remains uncashed? How do you reconcile and resolve uncashed checks within a trust? These questions and more will be covered in a fun and educational forum.
- 03. Where Did the Money Go? Understanding Plan Investments – Sutton**
From the ground up, we'll build on basis concepts and plan structures to understand variety of what makes participants money grow into more money. We will also cover potential pitfalls with different types of investment structures that can impact compliance and audit requirements.

10:40 - 10:55 a.m. Refreshment Break

GROUP II - Part 1: 10:55 - 12:10 p.m. and *repeated after lunch* 1:20 - 2:35 p.m.

- 04. Safe Harbor 401(k) Corrections – Forbes**
Safe Harbor 401(k) plans have become one of the more popular retirement plans for both large and small employers. The benefits Safe Harbor 401(k) plans come with a price: required contributions, notice requirements, timing of contributions, vesting requirements, timing of adoption of plan amendments, compensation, plan provisions, and more. Unfortunately, these additional requirements bring increased opportunities for employer and administrative mistakes. Such mistakes may lead to serious tax consequences and employer costs. In this session, I will identify many of the failures that are unique to Safe Harbor 401(k) plans and the unique methods and options for correction. I also will address correction approaches to several of the more difficult errors for which the IRS has not identified a correction method.

05. Making Maximum Use of the Deduction Rules – Donovan

Deferring taxes is often the primary reason for adopting a qualified retirement plan. Therefore, an understanding of the maximum deduction rules is a must for pension consultants. This session will cover deduction issues for DC plans and DB plans as well as the combined plan deduction rules. Issues will include the impact of PBGC coverage when dealing with combined plans and how to determine if your plan is PBGC covered. Ramifications of multiple plans and multiple tax entities will also be discussed.

06. Advanced Testing with Related Employers – Watson

You know that the plan sponsor is in a controlled group or affiliated service group, but aren't sure where to take it from there. Coverage and nondiscrimination testing involving related employers can be tricky and surprising. This session will walk you through practical examples so you can feel confident in this important arena.

12:10 - 1:20 p.m. Hosted Luncheon

GROUP II - Part 2: 1:20 - 2:35 p.m. See above for Group II session descriptions.

2:35 - 2:50 p.m. Refreshment Break

GROUP III: 2:50 - 3:50 p.m. Sessions are 60 minutes each. Attend **one** topic from this group.

07. How to Keep Your QDRO from Becoming a QUAD-DOH! – Ferenczy

QDROs are not the slam dunks that they may seem to be. It's more than just reviewing what the law requires. It's making sure that the court order does not create unexpected liability for the plan sponsor and trustee. Join Ilene for a discussion of rules for QDRO drafting and review and practical recommendations about how to keep the plan out of trouble.

08. Plan Designs That Should Be Avoided – Donovan

09. Beneficiary Designations: Who Are the Takers? – Forbes

Plan administrators are more frequently encountering situations where the determination of a deceased participant's beneficiary is not clear. In this session, we will address the important questions facing administrators: Which plan documents control? Does the participant's will affect the determination? Do the required minimum distributions affect the beneficiary designation? Is the beneficiary responsible for an outstanding loan? When is the secondary beneficiary entitled to receive the benefit? Rollover options? Reporting requirements? Lost beneficiaries? Former spouses? We also will review the key court decisions impacting plan administrator decisions and best practices to prevent future problems.

GROUP IV: 4:00 - 5:00 p.m. Sessions are 60 minutes each. Attend **one** topic from this group.

10. Where Are You from? What Happens When You Have Employees that Are Not from the United States? – Sutton

An overview of worker types and implications for qualified plans when you have workers who were not born in the US, or if the plan sponsor is actually part of a controlled group that includes a non-US based company.

11. Hands Off My Money! Issues and Recommendations for Protecting Your Firm from Hackers and Fraudsters – Schultz

Phishing, social engineering, brute force attacks - con artists and hackers are turning their attention to 401(k) accounts and your participant websites and call centers are not immune. Learn how scammers are trying to access your customers' accounts and what you can do to protect participants and your firm.

12. Understanding 403(b) Universal Availability – Watson

Universal availability of deferrals sets 403(b) plans apart from 401(k) plans. It also provides a key focus for IRS audits of 403(b) plans. Errors abound in handling student exclusions, the 20 hour/week rule, universal availability notices, and more. This session answers the tough questions on this vital 403(b) topic.

Friday, February 8

8:00 - 8:25 a.m. Continental Breakfast

General Session

8:25 - 8:30 a.m. **Announcements**

8:30 - 10:10 a.m. **A Deep Dive into the New QBI Deduction and its Impact on Qualified Plans, Entity Choice, and More – Donovan**

The Tax Cuts and Jobs Act of 2017 added Section 199A to the Tax Code. This new code section provides for a deduction of 20% of a pass-through entity's "qualified business income" (QBI). This session will explore the new deduction and how it affects the employer's decision-making process as it relates to their qualified retirement plans. The impact on entity choice and reasonable compensation as well as communication with the plan sponsor's CPA will also be discussed.

10:10 - 10:30 a.m. Refreshment Break

10:30 - 12:00 p.m. **Ask the Experts Workshop – Panel**

Get those tough questions answered. Case studies will be used in a discussion of the issues currently facing practitioners in employee benefits area.

12:00 p.m. Adjourn

Continuing Education Credits – Total possible hours: $965 \text{ Minutes} \div 50 = 19 \text{ CPE/CE hrs.}^*$
 $965 \text{ Minutes} \div 60 = 16 \text{ CE hrs.}^*$

*Final decision rests with governing body. Program may qualify for partial credits by some governing bodies.