DOL Releases 2026 Agency Rule List for Retirement and Health Plans

July 15, 2026

RELATED PRACTICES Employee Benefits and Executive Compensation

The DOL recently released its Agency Rule List, which contains several important retirement and health plan initiatives for this year:

Retirement

- Amendment to Exemption for Certain Automatic Portability Transactions (final amendment scheduled for September 2026)
- Fiduciary Duties in Selecting Designated Investment Alternatives (proposed rule issued in February 2026 and DOL currently analyzing comments)
- Requirement to Provide Paper Statements for Certain ERISA Disclosures (proposed rule issued in February 2026 and DOL currently analyzing comments)
- Prudence and Loyalty in Selecting Plan Investments and Exercising Shareholder Rights (proposed rule scheduled for July 2026)
- Amendment to Prohibited Transaction Exemption Procedures (proposed rule scheduled for August 2026)
- Performance Benchmarks for Multi-Asset Class Investments under Participant Fee Disclosure Regulations (proposed rule scheduled for October 2026)
- Plan Reporting for Retirement Savings Lost and Found (proposed rule scheduled for November 2026)
- Rulemaking for “Adequate Consideration” for Employee Stock Ownership Plans (proposed rule scheduled for November 2026)
- Rulemaking and Guidance for Pooled Employer Plans (pre-rule stage with no scheduled date)

Health

- Rules Related to Provisions of the No Surprises Act Regarding the Federal Independent Dispute Resolution Process (final action scheduled for July 2026)
- Rulemaking to Amend the Transparency in Coverage Rule (final rule scheduled for July 2026)
- Requirements Related to Air Ambulance Services, Agent and Broker Disclosures, and Provider Enforcement (final rule scheduled for September 2026)

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- Amendments to Excepted Benefits for Expanding Access to In Vitro Fertilization (proposed rule scheduled for July 2026)
- Amendments to Regulations Regarding Individual Coverage Health Reimbursement Accounts (proposed rule scheduled for July 2026)
- Revision to Default Electronic Disclosures by Employee Welfare Benefit Plans (proposed rule scheduled for July 2026)
- Amendment to the Definition of Short-Term, Limited-Duration Insurance for Purposes of Exclusion from the Definition of Individual Health Insurance Coverage (proposed rule scheduled for August 2026)
- Improving Transparency into Pharmacy Benefit Manager Fee Disclosure (proposed rule scheduled for September 2026)
- Requirements Related to Advanced Explanation of Benefits and Other Provisions under the Consolidated Appropriations Act and No Surprises Act (proposed rule scheduled for September 2026)
- Establishment of Criteria for the Definition of an “Employer” under Section 3(5) of ERISA for Association Health Plans (proposed rule scheduled for November 2026)
- Requirements Related to the Mental Health Parity and Addiction Equity Act (proposed rule scheduled for December 2026)

The full DOL 2026 Agency Rule List is available here.

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