

## New Proposed Regulations May Signal Administration Shift in Focus to Benefit Plans

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Whenever a new president from a different political party is elected, it's not unusual for plan sponsors to expect changes in policy resulting in new laws and regulations impacting benefit plans. Though President Biden's administration primarily focused on the pandemic and other areas of foreign and domestic policy in its first year, it recently has turned its attention to benefit plans with the issuance of two new proposed regulations, as described below.

- Proposed Regulations on Required Minimum Distributions as On February 24, 2022, the IRS released proposed regulations that update the required minimum distribution requirements to reflect changes made by the SECURE Act and contain additional guidance regarding required minimum distribution requirements. The IRS is currently taking comments on the proposed regulations until May 25, 2022.
- Proposed Regulations on Prohibited Transaction Exemption Filing Procedures as The DOL recently announced proposed amendments to the procedures governing the filing and processing of prohibited transaction exemption applications. According to the DOL's news release, the "proposed amended exemption procedure will create more clarity, certainty and transparency around the exemption application process." Among other things, the proposed amendments will clarify the types of information and documentation required to complete an application and update various timing requirements to ensure clarity in the application review process.

Plan sponsors should collaborate with their counsel and outside service providers to determine whether the new regulations will impact plan administration or require plan amendments or updates to summary plan descriptions.

The IRS's proposed regulations are available [here](#).

The DOL's news release is available [here](#).

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