Mid-Atlantic Benefits Conference

May 5-6, 2011
Radisson Plaza-Warwick Hotel
Philadelphia, PA

www.asppa.org/mabc

IRS

ASPPA®
WORKING FOR AMERICA'S RETIREMENT

ASPPA® Benefits Council
Greater Philadelphia

ABOUT THE CONFERENCE

The Mid-Atlantic Benefits Conference provides an opportunity to discuss employee benefits issues, including PPA, with colleagues and local, regional and national government employees from the Internal Revenue Service and the Department of Labor. The program focuses on exchanging information and educating attendees about current legislative, administrative and actuarial topics.

ABOUT THE INTERNAL REVENUE SERVICE

IRS

The Internal Revenue Service is the nation's tax collection agency and administers the Internal Revenue Code enacted by Congress. Its mission is to provide America's taxpayers with top quality service by helping them understand and meet their tax responsibilities and by applying tax law with integrity and fairness to all.

ABOUT ASPPA

ASPPA®
WORKING FOR AMERICA'S RETIREMENT

Since its inception in 1966, ASPPA (American Society of Pension Professionals & Actuaries) has been integral in preserving, shaping and enhancing our nation's employer-sponsored retirement plan system. ASPPA membership is comprised of a network of professionals dedicated to the security of the employer-sponsored retirement plan system. Through its influential presence in Washington, DC and its dynamic yet intensive credentialing and continuing education programs, ASPPA has become the prominent voice in the retirement plan industry. ASPPA is the only organization comprised exclusively of retirement plan professionals that actively advocates for legislative and regulatory changes to expand and improve the private pension system. ASPPA's elite membership has grown to over 7,500 retirement plan professionals who have chosen to be among the most dedicated in the industry.

ABOUT THE ASPPA BENEFITS COUNCIL OF GREATER PHILADELPHIA

ASPPA® Benefits Council
Greater Philadelphia

The ASPPA Benefits Council of Greater Philadelphia ("ABCGP") was formed in 1997 with the objectives of: assisting its members in keeping abreast of laws and conditions affecting employee benefit plans; improving the knowledge of each member; encouraging its members to have as their ultimate goal the rendering of the best professional services to the public; and being the premier retirement benefit organization in the Delaware Valley. Since its inception, the ABCGP has provided its members with numerous opportunities to attend outstanding educational programs covering a broad array of topics, presented by exceptional speakers. These programs have allowed local employee benefits professionals to keep up with new developments, receive in-depth training on specific areas of interest, and earn continuing professional education credits inexpensively and without the need for extended travel.

COOPERATING SPONSORS

ASPPA Benefits Council of Cincinnati
ASPPA Benefits Council of Cleveland
ASPPA Benefits Council of Western Pennsylvania
Central Virginia Employee Benefits Council
Employee Benefits Committee of the Philadelphia Bar Association
New Jersey Employee Benefits Group
PEBA
Philadelphia Actuaries Club
Philadelphia Estate Planning Council
Philadelphia SHRM
Wilmington Tax Group

CONFERENCE COMMITTEE

Co-chair: Arthur Bachman, Blank Rome, LLP, Philadelphia, PA
Co-chair: Michael J. Sanders, Mid-Atlantic Area Manager, Internal Revenue Service, Philadelphia, PA
Douglas R. Cranage, APM, Associated Benefit Planners, Ltd., Wayne, PA
Maria T. Hurd, Belfint, Lyons & Shuman P.A., Wilmington, DE
Jacquelyn Jordan, Internal Revenue Service, Philadelphia, PA
Melissa B. Kurtzman, Littler Mendelson, P.C., Philadelphia, PA
Kenneth Marblestone, The MandMarblestone Group, LLC, Philadelphia, PA
Miriam G. Matrangola, Atlantic Pension Services, Inc., Kennett Square, PA
Bonnie L. Schaumberg, EP CE&O Analyst, Internal Revenue Service, Pittsburgh, PA

ASPPA GENERAL CONFERENCES CO-CHAIRS

Richard A. Hochman, Esq., APM, McKay Hochman Company, Inc., Butler, NJ

Joanne Lawrence Smith, CMP, ASPPA, Arlington, VA

ASPPA CONFERENCES VICE CHAIR FOR IRS/DOL CONFERENCES

Gary D. Blachman, Thompson Hine LLP, Cincinnati, OH

WHO SHOULD ATTEND?

- Accountants
- Actuaries
- Attorneys
- Benefits Directors
- Consultants
- Human Resources Personnel
- Investment Professionals
- Plan Administrators
- Practitioners
- Third Party Administrators
- Trust Officers

THURSDAY, MAY 5

7:00 A.M. – 8:00 A.M.
REGISTRATION & BREAKFAST

8:00 A.M. – 8:15 A.M.
INTRODUCTION AND WELCOME

8:15 A.M. – 9:30 A.M.
GENERAL SESSION 1: WASHINGTON UPDATE
c e

A new Congress means new legislative priorities. Deficit reduction proposals and calls for tax reform could significantly impact retirement and other employee benefit plans. At the same time, government regulators move forward on their own initiatives. Learn about the latest developments in our Nation's Capital from Craig Hoffman, ASPPA's General Counsel and Director of Regulatory Affairs.
Craig P. Hoffman, Esq., APM, ASPPA, Arlington, VA

9:30 A.M. – 9:45 A.M.
BEVERAGE BREAK

9:45 A.M. – 11:00 A.M.
GENERAL SESSION 2: IRS UPDATE
nc e

Topics to be covered include: IRS Employee Plans and directions, operating priorities, new programs, plans for the future affecting qualified plans and 403(b) plans, projects to assure plan compliance both in theory and operation and guidance updates.
Richard A. Hochman, Esq., APM, McKay Hochman Company, Inc., Butler, NJ
Monika A. Templeman, Esq., Internal Revenue Service, Baltimore, MD
Andrew E. Zuckerman, Esq., Internal Revenue Service, Washington, DC

11:05 A.M. – 12:20 P.M.
CONCURRENT WORKSHOPS

WORKSHOP 1: WACKY ASSETS
nc ne

"OMG! You should see what my client put into his retirement plan!" "You think you've got trouble?!? My client is a real estate developer! Enuf said!" Yes - they're crazy! They're nutsy! They're out of this world! Join Ilene Ferenczy for a practical discussion of what to do when a plan you're administering contains "wacky assets!"
Ilene H. Ferenczy, Esq., CPC, The Law Offices of Ilene H. Ferenczy, LLC, Atlanta, GA

WORKSHOP 2: 403(b) PLAN UPDATE
BASIC
nc e

This workshop identifies the unique issues found in 403(b) plans that TPAs must be able to identify and address. The program will also deal with unresolved issues under the final IRS regulations and the determination letter program, including plan terminations, pre-approved plans and an EPCRS update.
Susan D. Diehl, PenServ Plan Services, Inc., Horsham, PA
Cheryl Press, Internal Revenue Service, Office of Chief Counsel, Washington, DC

12:25 P.M. – 1:00 P.M.
LUNCH

1:05 P.M. – 1:55 P.M.
ASK THE EXPERTS (PRIVATE PRACTITIONER PANEL)
nc e

I. Lee Falk, Esq., Morgan, Lewis & Bockius, LLP, Philadelphia, PA
Ilene H. Ferenczy, Esq., CPC, The Law Offices of Ilene H. Ferenczy, LLC, Atlanta, GA
Thomas J. Finnegan, MSPA, COPA, CPC, QPA, The Savitz Organization, Inc., Philadelphia, PA
Richard A. Hochman, Esq., APM, McKay Hochman Company, Inc., Butler, NJ

2:00 P.M. – 2:50 P.M.
CONCURRENT WORKSHOPS

WORKSHOP 3: 403(b) PLAN ADMINISTRATIVE TOPICS
INTERMEDIATE TO ADVANCED
nc e

During this workshop we will discuss various administrative and operational topics concerning 403(b) plans. The workshop will also cover the 403(b) audit program and how to prepare for and avoid most common audit issues discovered by the IRS. In addition, we will cover the IRS Employee Plans Compliance Unit's (EPCU) 403(b) compliance contact questionnaire to test compliance with the universal availability non-discrimination requirement for organizations involved in higher education.
Susan D. Diehl, PenServ Plan Services, Inc., Horsham, PA
Daniel S. Gardner, Internal Revenue Service, Independence, OH

WORKSHOP 4: CORRECTIVE DISTRIBUTIONS AND FORM 1099-R REPORTING
nc e

Corrective distributions are a part of the recordkeeping world. This session is a "how-to" for handling and reporting a number of these transactions, including loan Form 1099-R reporting. We will cover options for handling a deferral made by an ineligible employee and the reporting involved, handle an excess deferral returned in the same year it is made, prior to April 15 or after April 15 and its reporting. Additionally, learn how to handle excess annual additions when they involve the return of deferrals or after tax. Reporting a refund of an excess contribution in scenarios such as after the HCE took a total distribution, when using the one-to-one correction method, reporting loans when deemed, handling deemed loans not reported and handling of a participant loan when an employee severs employment will all be discussed.
William C. Grossman, QPA, Mckay Hochman Company, Inc., Butler, NJ

2:50 P.M. – 3:05 P.M.
BEVERAGE BREAK

JBEA Credit Information			
c Core JBEA CPE Credit	nc Non-Core JBEA CPE Credit	e ERPA Credit	P Ethics/ Professionalism

3:05 P.M. – 4:20 P.M.
GENERAL SESSION 3: DOL UPDATE
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The Employee Benefits Security Administration of the US Department of Labor has set its enforcement priorities for 2011. EBSA will be continuing its focus on payments received by plan consultants and other service providers and there is a new emphasis on criminal enforcement of the requirements for deposit of employee contributions. EBSA's investigative process will be reviewed and techniques for responding to a DOL investigation from a practitioner's point of view will be discussed.
DOL Speaker TBD
I. Lee Falk, Esq., Morgan, Lewis & Bockius, LLP, Philadelphia, PA

4:25 P.M. – 5:15 P.M.
CONCURRENT WORKSHOPS

WORKSHOP 5: CASH BALANCE PLAN BASICS
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George will address the basics and best practices of how to operate cash balance plans and will also provide guidance on potential tricks and traps for the unwary regarding cash balance plans.
George J. Taylor, MSPA, COPA, ARIS Corporation of America, Muncy, PA

WORKSHOP 6: NOTICES, NON-FEE DISCLOSURE
nc e

William C. Grossman, QPA, Mckay Hochman Company, Inc., Butler, NJ

5:20 P.M. – 6:20 P.M.
NETWORKING RECEPTION

FRIDAY, MAY 6

7:30 A.M. – 8:15 A.M.
BREAKFAST

8:15 A.M. – 9:30 A.M.
CONCURRENT WORKSHOPS

WORKSHOP 7: PARTICIPANT FEE DISCLOSURE – READY OR NOT, HERE IT COMES!
nc e

Plan administrators of participant directed individual account plans will soon be subject to the new participant disclosure regulations. During this session, we will review the new rules as well as the detailed information that must be provided about the plan and its designated investment alternatives. Also to be discussed are the consequences of non-compliance, special target date disclosures, ERISA §404(c) concerns and effective date issues.
Craig P. Hoffman, Esq., APM, ASPPA, Arlington, VA
DOL Speaker TBD

WORKSHOP 8: BACK TO BASICS: COMPLIANCE TESTING FOR DC PLANS
nc e

Tests for nondiscrimination need to be run for every Defined Contribution qualified retirement plan. Join us for this interactive session as our speaker provides an overview of coverage, top heavy, employee and employer contribution testing requirements. This is essential for those not familiar with the testing and will serve as a refresher for those who are.
Robert M. Kaplan, CPC, QPA, ING, Thornwood, NY

9:30 A.M. – 9:45 A.M.
BEVERAGE BREAK

9:45 A.M. – 11:00 A.M.
CONCURRENT WORKSHOPS

WORKSHOP 9: WHAT COMPENSATION ARE YOUR CLIENTS PROVIDING YOU?
nc e

This interactive session will review the available types of compensation that may be considered for qualified retirement plans, as well as the options for testing such as top heavy, deductions, annual additions, ADP/ACP and allocations. Also discussed will be the definition of compensation that applies for military personal and differential pay.
Robert M. Kaplan, CPC, QPA, ING, Thornwood, NY

WORKSHOP 10: EPCRS UPDATE
c e

Join representatives from the IRS as they discuss the differences between VCP and Audit CAP and explain the steps in the Audit CAP process including: EPCRS being a voluntary program; negotiating the sanction; what happens after agreement has been reached; and what happens when the Service and the Employer cannot agree on the issue or the sanction amount.
Scott Feldman, Internal Revenue Service TE/GE Employee Plans, Brooklyn, NY
Kathleen A. Schaffer, Mid-Atlantic Area Coordinator, Internal Revenue Service TE/GE Division, Philadelphia, PA

11:00 A.M. – 11:15 A.M.
BEVERAGE BREAK

JBEA Credit Information			
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11:15 A.M. – 12:30 P.M.

WORKSHOP 11: IRS LOCAL AUDIT ISSUES

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This session will review local employee plans issues with a heavy focus on 401(k) plans, examination operating priorities and ongoing and future project initiatives. This session will cover both Employee Plans Team Audit and General Program issues. The speakers will also give some practical advice on how to prepare for an audit.

George D. Brim, Mid-Atlantic Area EPTA Manager, Internal Revenue Service, Trenton, NJ
Michael J. Sanders, Mid-Atlantic Area Manager, Internal Revenue Service, Philadelphia, PA

WORKSHOP 12: CASH BALANCE

ADVANCED

c e

The hybrid plan regulations released last fall answered many questions and also raised many others. During this session, we explore various issues related to cash balance plans including (but not necessarily limited to) accrual rules, market rate of return, minimum participation rules, plan amendments and valuing plan liabilities.

Thomas J. Finnegan, MSPA, COPA, CPC, QPA, The Savitz Organization, Inc., Philadelphia, PA
Carol Zimmerman, Actuary, Internal Revenue Service, Pittsburgh, PA

12:30 P.M. – 1:05 P.M.

LUNCH

1:10 P.M. – 2:00 P.M.

ASK THE EXPERTS (GOVERNMENT PANEL)

nc e

George D. Brim, Mid-Atlantic Area EPTA Manager, Internal Revenue Service, Trenton, NJ
Scott Feldman, Internal Revenue Service TE/GE Employee Plans, Brooklyn, NY
Michael J. Sanders, Mid-Atlantic Area Manager, Internal Revenue Service, Philadelphia, PA
Kathleen A. Schaffer, Mid-Atlantic Area Coordinator, Internal Revenue Service TE/GE Division, Philadelphia, PA
Carol Zimmerman, Actuary, Internal Revenue Service, Pittsburgh, PA
DOL Speaker TBD

2:05 P.M. – 2:55 P.M.

CONCURRENT WORKSHOPS

WORKSHOP 13: THE PERILS AND PITFALLS OF TAKING OVER THE ADMINISTRATION OF A DEFINED CONTRIBUTION OR DEFINED BENEFIT PLAN

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Congratulations! You have just been engaged by a new client to take over the administration of their qualified plan. Now the real fun begins. This practical session will explore the common problems associated with a plan takeover, including issues involving review of plan documentation, prior administrative reports and census data, plan investments (and investment conversions), actuarial reports and plan filings. How do you avoid making the client's problems your problems and how do you get paid for cleaning up someone else's messes?

Kenneth Marblestone, Esq., MandMarblestone Group LLC, Philadelphia, PA
George J. Taylor, MSPA, COPA, ARIS Corporation of America, Muncy, PA

WORKSHOP 14: FUNCTIONAL FIDUCIARY - THE HIDDEN LIABILITY

nc e

This session will provide the following attendee takeaways:

1. An overview of the increased exposure of clients to claims of participants for breaches of fiduciary duties.
2. An in-depth review of the various causes of action and claims brought by participants against fiduciaries for breach of fiduciary duties.
3. An explanation of the types of counseling services which can be provided by consultants to clients for litigation avoidance.
4. A discussion of the increased exposure to liability for fiduciary breaches due to expanded definition of "functional fiduciary" as interpreted by both court decisions and DOL regulations.
5. A discussion of the potential liability of consultants as functional fiduciaries and suggestions on how to reduce such liability.

Paul A. Friedman, Esq., Blank Rome, LLP, New York, NY

2:55 P.M. – 3:10 P.M.

BEVERAGE BREAK

3:10 P.M. – 4:50 P.M.

GENERAL SESSION 4: ETHICS CASE STUDIES

nc e P

Sheldon and Richard will use case studies to cover the full panoply of ethical requirements for lawyers, accountants, actuaries, ERPAs, third party administrators and others who work with plans. Representation of employee benefits fiduciaries, sponsors and plans presents an assortment of ethical issues for practitioners. Balancing these often conflicting roles can lead the practitioner to ask: "Who is my client?" and the wrong answer could present significant ethical and liability issues. In addition, different ethical and privilege requirements pertain to different types of practitioners and ASPPA professional standards must be understood and followed by ASPPA members. This is a "do not miss" session.

Richard A. Hochman, Esq., APM, McKay Hochman Company, Inc., Butler, NJ
Sheldon H. Smith, Esq., APM, Holme Roberts & Owen LLP, Denver, CO

JBEA Credit Information

c Core JBEA CPE Credit	nc Non-Core JBEA CPE Credit	e ERPA Credit	P Ethics/ Professionalism

CONFERENCE LOCATION

Radisson Plaza-Warwick Hotel
1701 Locust Street
Philadelphia, PA
Tel: 215.735.6000

Room rate: $150/night single or double
Reservation cut-off date: Monday, April 11, 2011

Contact the hotel directly to make your reservations. Availability is limited, so be sure to call no later than April 11, 2011 and mention that you are attending the Mid-Atlantic Benefits Conference in order to receive the group room rate. Please note that calling to make your reservation before the deadline only guarantees you the group rate—it does not guarantee that a room will be available.

CONFIRMATION

All registrants whose forms and payments are received by April 22, 2011 will receive written confirmation. Due to the large number of registrants, ASPPA cannot confirm receipt over the phone.

SESSION MATERIALS

All session materials (outlines, PowerPoints, etc.) will be available for download two weeks prior to the conference. Registered attendees will receive a password via email with instructions on how to access the materials.

CANCELLATION POLICY

If a written request for cancellation is received by April 22, 2011, the full registration fee, minus a $100 processing fee, will be refunded. After April 22, 2011, the registration fee is not refundable, but, with written notification, can be transferred to another individual at any time, even on-site.

CONTINUING PROFESSIONAL EDUCATION

This conference is designed to qualify for various types of continuing education credit, including CPA CPE, CLE, State Insurance CPE, ERPA CPE, JBEA CPE and up to 17.5 ASPPA CPE.

To get pre-approval for other types of continuing education credit, please contact the ASPPA staff at 703.516.9300 at least 45 days prior to the conference to submit your request for approval. ASPPA staff will apply for advance approval of the program if the application process and filing fees are not prohibitive. For current continuing education information, visit www.asppa.org/mabc.

METHODS OF REGISTRATION

Choose ONE method. To prevent duplication of payment, send your registration form only once. If you are mailing it, do not fax it and vice versa.

Online: www.asppa.org/mabc. For credit card registration only.

Fax: 703.516.9308. For credit card registration only.

E-mail: E-mail your scanned registration form(s) to conferences@asppa.orgFor credit card registration only.

Mail: Mail your completed registration form, including payment to:
ASPPA
PO Box 34725
Alexandria, VA 22334-0725

For express/overnight deliveries (FedEx, UPS, etc.) send to:
ASPPA
4245 N Fairfax Dr Ste 750
Arlington, VA 22203

REGISTRATION FORM

Mid-Atlantic Benefits Conference • May 5-6, 2011 • Radisson Plaza-Warwick Hotel • Philadelphia, PA

STEP ONE: Registrant Information

Please register only one person per form. All fields are required – please type or print legibly.

Name:			
Badge Name:		**Designations:**	
Title			
Company:			
Address:			
City/State/Zip:			
Phone:		**Fax:**	
Fax:			
Email:			

Please note that information printed above for Badge Name, Company, City and State will appear on your conference badge exactly as stated.

If the contact information above is different than what we have on file, should these changes be updated in your record?

❑ Yes ❑ No

STEP TWO: Additional Information

Job Classification (check all that apply)

❑ Accountant ❑ Actuary ❑ Consultant ❑ Human Resources Personnel ❑ Insurance Agent
❑ Investment ❑ Lawyer ❑ TPA ❑ Other (Please specify):____________

Please check dietary requirements (if applicable):

❑ Kosher ❑ Vegetarian ❑ Other (Please specify):____________________

If you require any other special accommodations, please specify: ____

STEP THREE: Workshop Selection

Thursday, May 5, 2011			Friday, May 6, 2011		
11:05 am – 12:20 pm	❑ Workshop 1	❑ Workshop 2	8:15 am - 9:30 am	❑ Workshop 7	❑ Workshop 8
2:00 pm – 2:50 pm	❑ Workshop 3	❑ Workshop 4	9:45 am – 11:00 am	❑ Workshop 9	❑ Workshop 10
4:25 pm – 5:15 pm	❑ Workshop 5	❑ Workshop 6	11:15 am – 12:30 pm	❑ Workshop 11	❑ Workshop 12
			2:00 pm – 2:50 pm	❑ Workshop 13	❑ Workshop 14

STEP FOUR: Payment Information

	Early* (before 3/28/11)	**Regular (3/29/11—4/22/11)**	**On-site (after 4/22/11)**
Registration	❑ $575	❑ $675	❑ $775
**Additional Participant	❑ $525	n/a	n/a
Government Participant (IRS, Treasury, DOL, PBGC)	❑ $300	❑ $300	❑ $300
		TOTAL:	

❑ Enclosed is a check or money order payable to ASPPA.

❑ Check Payment: Check number: _______ ❑ Visa ❑ Mastercard ❑ American Express ❑ Discover

Name as it appears on card:	
Card Number:	
Expiration Date:	
Authorized Signature:	

To prevent duplication of payment, send your registration form only once. If you are mailing it, do not fax it and vice versa.
*To qualify for the early registration fee, registration and payment must be received in the ASPPA office by March 28, 2011. The fee is calculated based on the receipt date of the registration form, not the postmark. Registrations will be accepted by the ASPPA office through April 22, 2011 at the regular registration rate. Any registrations received after this date will be charged the on-site registration fee.
**To qualify for the additional participant rate, additional participants must be from the same company and ALL REGISTRATION FORMS MUST BE SUBMITTED TOGETHER with payment by the early registration deadline of March 28, 2011.

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