



BENEFIT NEWS BRIEFS

IRS Announces End Of Individually Designed Plan Determination Letter Program As We Know It

In [Announcement 2015-19](#), the IRS rolled out some drastic changes to the Employee Plans Determination Letter Program. Effective January 1, 2017, the staggered 5-year determination letter remedial amendment cycles for individually designed plans will be eliminated. Furthermore, the scope of the determination letter program for individually designed plans will be limited to initial plan qualification, qualification upon plan termination, and certain other limited circumstances that will be determined by the IRS. All multiemployer pension plans are individually-designed plans.

In addition, effective July 21, 2015, the IRS will generally no longer accept determination letter applications that are submitted off-cycle.

The changes to the determination letter filing procedures described in the Announcement will be formally reflected in an update to [Revenue Procedure 2007-44](#), and in a successor to [Revenue Procedure 2015-6](#).

The good news is that, in light of the gutting of the determination letter program described in this announcement, the IRS is considering ways to make it easier for plan sponsors to comply with the qualified plan document requirements, such as providing model amendments, not requiring certain plan provisions or amendments to be adopted if, and for so long as, they are not relevant to a particular plan (for example, because of the type of plan, employer or benefits offered), or expanding plan sponsors' options to document qualification requirements through incorporation by reference.

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