

# **NAPA Certified Plan Fiduciary Advisor CPFA®**

*Candidate Handbook*



**NAPA**

National Association  
of Plan Advisors



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## Introduction

### **About the NAPA CPFA® Credential**

The Certified Plan Fiduciary Advisor (CPFA®) credential – developed by some of the nation's leading advisors and retirement plan experts – demonstrates your knowledge, expertise, and commitment to working with retirement plans. Plan advisors who earn their CPFA® demonstrate the expertise required to act as a plan fiduciary or help plan fiduciaries manage their roles and responsibilities.

### **About the National Association of Plan Advisors**

The National Association of Plan Advisors (NAPA), an affiliate organization of the American Retirement Association, was created by and for retirement plan advisors. Membership is also open to other retirement industry professionals who support the interests of plan advisors.

While the financial services industry is well represented in Washington by several trade associations that weigh in on issues affecting advisors, NAPA is the only advocacy group exclusively focused on the issues that matter to retirement plan advisors. This exclusive focus is what sets NAPA apart.

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*NAPA Membership offers four valuable benefits: advocacy, education, business intelligence, and networking – all designed to keep plan advisors in the forefront of the industry and help them succeed.*

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### **About the American Retirement Association (ARA)**

The American Retirement Association (ARA) is a non-profit organization that aims to educate retirement plan professionals and create a framework of policy that gives every working American the ability to have a comfortable retirement.

As part of that mission, for more than half a century, the ARA has developed and distributed education programs, information resources, and professional credentials that have become the gold standard for retirement plan professionals in every field of endeavor.

More than 33,000 members strong, today the American Retirement Association is comprised of five premier retirement industry associations: the American Society of Pension Professionals & Actuaries (ASPPA), the American Society of Enrolled Actuaries (ASEA), the National Association of Plan Advisors (NAPA), the National Tax-deferred Savings Association (NTSA), and Plan Sponsor Council of America (PSCA).



# Section 1: NAPA CPFA® Credential Requirements

## Summary

NAPA has developed requirements for eligibility to ensure that the application process is fair and impartial for all applicants. Each eligibility requirement has been established to ensure that individuals certified by NAPA have an acceptable level of knowledge and proficiency necessary to administer retirement plans.

To obtain the CPFA® credential, individuals must:

- Successfully complete the NAPA CPFA® exam
- Agree to abide by the ARA Code of Professional Conduct
- Apply for the credential

## Exam Requirement

The CPFA® exam is a 70-question multiple choice exam that assesses a candidate's knowledge of key retirement plan concepts commensurate with professional retirement plan advisor standards. Candidates must earn a passing score of 70% or greater on the CPFA® exam to qualify for NAPA CPFA® credentialed membership.

## Experience and Education Requirement

No specific experience level is required, but if you are new to retirement plan sales, you might find it helpful to begin with NAPA's 401(k) Practice Builder.

## Application Requirement

Candidates must apply for NAPA credentialed membership and agree to abide by the ARA Code of Conduct and NAPA continuing education policy.

## Qualified Plan Financial Consultant (QPFC) Credential Alternative

CPFA® candidates may elect to use the Qualified Plan Financial Consultant (QPFC) credential if their broker/dealer requires use of QPFC rather than CPFA® credential on advertising material. The coursework, exam and application requirements are the same for both the QPFC and the CPFA® credential.

CPFA® and QPFA credential holders may switch credential titles as required by their broker/dealer at no cost by submitting a request to [accountsreceivable@usaretirement.org](mailto:accountsreceivable@usaretirement.org). Candidates are encouraged to speak to their compliance department prior to selecting the CPFA® or QPFC designation on the NAPA credentialed membership application.



## Section 2: Preparing for the NAPA CPFA® Certification Exam

### Summary

The number of hours of study needed to prepare for NAPA examinations varies depending on the length and breadth of a candidate's experience in the field. Many successful candidates begin studying several months before an examination date to allow sufficient time to cover all the material to the proper extent.

NAPA has available study materials to help individuals prepare for the CPFA® certification exam. The CPFA® Online Course is the preferred study material for the examination and can be purchased separately.

The CPFA® online course is divided into four modules covering all the examination content:

1. Fiduciary Management under ERISA
2. ERISA Plan Management 1
3. ERISA Plan Investment Management
4. ERISA Plan Management 2

The modules listed above contain:

- All content covered in the examination, presented using case studies
- Interactive practice activities based on real life situations
- Multiple-choice sample questions that mimic the questions found on the examination
- Additional resources for continuous learning



## Section 3: Exam Administration

### **NAPA CPFA® Exam Format**

The CPFA® exam is a 70-question multiple-choice exam. Candidates have 2 ½ hours to complete the exam.

### **Exam Fees**

The exam fee is \$390.

### **Exam Delivery**

The CPFA® exam is delivered using a proctored online examination system. Candidates need access to a laptop or desktop computer with webcam and microphone to participate in the exam. Candidates are provided system requirement documentation and system verification tools upon enrollment in the exam.

Candidates are permitted to use the browser-based calculator or the Windows on-screen calculator to perform calculations. Candidates may use the notes field to record results in multi-step calculations. Candidates may not use cell phones, handheld calculators, or other software-based calculators during the exam. Using paper to take notes or perform calculations during the exam is prohibited.

### **Exam Enrollment**

NAPA will enroll candidates into the NAPA online exam administration system within three (3) business days of the candidate's exam purchase or exam enrollment request. Candidates will be provided written instructions on how to access the online exam system, perform system functionality tests, and take a sample exam session prior to taking the exam.

### **Exam Window**

The exam window is three complete calendar months following the date of exam enrollment. Candidates will receive written confirmation of the exam window and exam expiry date.

### **Exam Scoring**

The final score will be reported to candidate after provisional score is reviewed and confirmed by NAPA staff.

### **Time Limit**

All credential exams are timed and must be completed within the allotted time. For CPFA, the time limit for the exam is 2½ hours. Exams cannot be paused and resumed after starting. Any exam questions left unanswered at the end of the allotted time will be counted as incorrect.

### **Exam Results**

Candidates will receive an email from the NAPA exam system after exam results are validated. Candidates will be directed to access the NAPA exam system to view their exam score, review their score report, and download a certificate of completion if they have passed. For security reasons, results will not be provided over the phone or sent by fax.



## Score Reports

Candidates may request a score report upon completion and approval of the NAPA CPFA® exam. Score reports will indicate how an individual performed in each topic area.

## Language

The CPFA® credential exam is offered in English.

## Test Administration Modification

Special accommodations to test administration shall be provided to candidates with a disability (as defined by Title III of the Americans with Disabilities Act) who submit with their certification application a written explanation of their needs and appropriate documentation. Requests must be submitted no less than six weeks prior to test date to allow sufficient time for arrangements to be made on behalf of the test candidate. Application forms for these accommodations must be submitted in writing to [rpa@usaretirement.org](mailto:rpa@usaretirement.org).

## Statement of Non-Discrimination

NAPA endorses the principles of equal opportunity. Eligibility criteria for examination and credentialing as a CPFA® are applied equally to all individuals regardless of age, race, religion, gender, national origin, veteran status, or disability.

## Confidentiality

NAPA recognizes candidates' rights to control personal information. NAPA's policy is designed to safeguard this information from unauthorized disclosure. Candidates can change preferences to be contacted by updating personal preferences in their profiles. To protect the rights to control score distribution, exam scores are released only to the candidate and authorized NAPA or ARA staff.

NAPA does not release individual exam scores, except for use in research studies that preserve candidates' anonymity. Candidates' scores will always remain confidential unless authorized with the written consent of a candidate. Official statistics regarding the CPFA® credentialing exam, including all question performance data, individual data, and demographic data, will be considered confidential; however, NAPA reserves the right to publish aggregated, non-identifying information based on such data.

## Exam Irregularities

Any problems, suspected instances of cheating, alleged inappropriate examination administration, environmental testing conditions severe enough to cause disruption of the process or any other irregularities related to test administration should be brought to the attention of NAPA at [customer care@napa-net.org](mailto:customer care@napa-net.org). All such matters will be reported, investigated and subject to further action based on policies and procedures adopted by NAPA.

Cheating or other violations of the ARA Code of Conduct, or matters that may constitute grounds for disciplinary action, will be handled under the disciplinary procedures adopted by ARA, but other issues in examination irregularities are not subject to appeal.



### **Violation of Code of Conduct**

If it is determined that a candidate has violated the ARA Code of Conduct, the candidate may be barred from taking the exam for a timeframe determined by ARA.

### **NAPA Credential Candidate Inquiry Policy**

Candidates may submit written inquiries about NAPA study materials and credentialing exams. Inquiries regarding NAPA credentialing exams must be submitted by the exam candidate to [rpa@usaretirement.org](mailto:rpa@usaretirement.org) within 30 days of the exam administration date.

NAPA will not review or respond to inquiries submitted on the candidate's behalf. Correspondence will be conducted in accordance with NAPA's privacy policy contained in this handbook.

### **Exam Refund & Transfer Policy**

Fees for examinations are not refundable. The right to sit for a NAPA examination belongs exclusively to the person named on the exam registration request. Candidates named on the exam registration request may transfer the right to another candidate. The transfer request must be submitted in writing to [accountsreceivable@usaretirement.org](mailto:accountsreceivable@usaretirement.org) not less than 15 days prior to the exam window expiry date.





## Section 4: Applying for NAPA CPFA® Credentialed Membership

### Credentialed Membership Application

Candidates who earn a passing score on the CPFA exam may apply for NAPA CPFA credentialed membership by completing the [NAPA Credentialed Membership](#) application.

Candidates must agree to abide by the ARA Code of Conduct, comply with the NAPA continuing education policy, and pay NAPA credentialed membership dues and/or credential maintenance fees.

### Credential Maintenance Fee

There is an annual credential maintenance fee for retirement plan advisors affiliated with [NAPA firm partners](#). Credential maintenance fees are due December 31 of each calendar year.

First-year credential maintenance fees will not be assessed to CPFA candidates awarded the CPFA credential from December 1 to December 31.

The current list of NAPA firm partners may be found at <https://www.napa-net.org/about-us/partner-corner>. Credentials are suspended if credential maintenance fees are not paid by February 28.

### NAPA Membership Dues

CPFA candidates who are not affiliated with a [NAPA firm partner](#) or who are credentialed members of one or more ARA sister organizations are required to maintain NAPA credential membership to hold the CPFA designation. Membership applications and membership dues rates may be found at <https://www.napa-net.org/member/join>. A due date for member dues isn't included here but is for the maintenance fee.

### Credential Mark Usage Policies and Procedures

An individual who has been granted the NAPA CPFA® membership may list the credential on stationery, websites, business cards and other promotional materials as:

- First name, Last name, NAPA CPFA®
- First name, Last name, Certified Plan Fiduciary Advisor®
- First name, Last name, CPFA®

**Note:** Only include the ® symbol with the first instance of the acronym, in body copy; in subsequent instances, the acronym by itself is appropriate.

Should the credential be suspended or withdrawn for any reason, the individual must immediately cease the use of the title NAPA Certified Plan Fiduciary Advisor and acronym designation on stationery, websites, business cards, and all promotional materials.



**NAPA CPFA® Credential Check**

NAPA maintains a public website for verification of CPFA® credential status. The public can verify that a retirement plan advisor is entitled to use the NAPA CPFA® designation at <https://napacredentialcheck.org/>.



## Section 5: NAPA CPFA® Continuing Education Requirements

As a professional society, NAPA recognizes the importance of the continuing educational development of its members. NAPA has a mandatory program of Continuing Education (CE) that affects all NAPA credentialed members who hold a NAPA CPFA credential. CE requirements apply to all credentialed members, regardless of when the credential(s) were awarded.

### Annual Continuing Education Requirement

CPFA designation holders must complete ten (10) hours of Continuing Education (“CE”) each calendar year following the calendar year the CPFA designation is earned. CE hours must meet the Continuing Education Content Standards outline below.

Each calendar year a minimum of four (4) hours of the annual ten (10) hour CE requirement must cover retirement plan relevant topics (“Relevant Topics”) identified in this continuing education policy statement. In addition, a minimum of one (1) hour of CE credit earned annually must address professional ethics and the ARA’s Code of Professional Conduct.

### Continuing Education Content Standards

CE must meet the following standards qualify for continuing education credit:

- Content must be developed by person(s) qualified in the subject matter.
- CE hours reported shall match the actual time on task rounded down to the nearest five (5) minute increment.
  - One (1.0) hour of CE is equivalent to 50 minutes of instruction or study time on task
  - After the first 50 minutes, CE hours may be accrued in 5-minute increments where 5 minutes is equal to one tenth (0.1) of a CE credit.
  - CE will not be accepted for any event less than 45 minutes time on task. This is equivalent to a nine-tenths (0.9) CE threshold.

### Relevant Topics

Relevant Topics that will satisfy the four (4) hour retirement plan education requirement includes, but is not limited to, the following Relevant Topics:

- Retirement Plan Legislative and Regulatory Updates
- Nonqualified Plans
- Qualified Plan Features and Administration
- Fiduciary Responsibilities
- Retirement Plan Employer and Participant Communications
- Retirement Plan Products
- Retirement Plan Sales Process



### **Third Party CE**

- Designation holders are responsible for reporting third party CE activity using the NAPA CE reporting system.
- Records of completion of third-party CE must be maintained by the designation holder for a minimum of two (2) calendar years following the calendar year for which the CE credit is reported.
- Third party CE is subject to audit.

### **NAPA Provided CE**

- NAPA will record CE credit for participation in NAPA CE events.
- NAPA will ensure that that NAPA provided CE meets both continuing education content standards and addresses retirement plan related Relevant Topics.

### **Compliance and Audit**

The audit of third-party CE is conducted for the benefit of all NAPA members and CPFA® credential holders. The CE audit process demonstrates NAPA's ongoing commitment to professionalism and the integrity of the CPFA® program. The CE audit process helps ensure compliance with the CE policy, but more importantly will help NAPA identify opportunities to continuously improve the CFPA CE program.

### **The Audit Process**

NAPA will conduct an annual audit of reported third party CE. The audit will encompass a randomly selected representative sample of designation holders who reported third party CE the prior calendar year.

Designation holders who are randomly selected for the CE audit will be asked to provide suitable documentation to substantiate that the reported third-party CE meets the Continuing Education Content Standards. In general, the documentation must demonstrate that:

- The content was developed by a subject matter expert with expertise pertinent to the subject matter
- Time on task for the CE credit awarded
- Successful completion or participation

The designation holder subject to audit will also be asked to provide a description of the CE session for any third-party CE reported to satisfy the ethics or retirement plan related Relevant Topic requirement.

### **Suspension of Designation**

The CPFA® designation may be suspended for the following reasons

- Failure to comply with the NAPA Continuing Education Policy
- Failure to renew NAPA membership or NAPA credential maintenance fee as applicable
- Violation of the NAPA Code of Conduct

### **Failure to comply with the NAPA Continuing Education Policy**

Designation holders will have until March 1 of each calendar year to report CE for the prior calendar year CE cycle. NAPA provided CE earned prior to March 1st of each calendar year



may be applied to the CE reporting cycle for the prior calendar year. In no case will CE be recorded for more than one CE reporting cycle.

If the failure to comply with the NAPA Continuing Education Policy results from the audit of third-party CE, the designation holder will have 60 days from the date of notification to correct the deficiency.

### **Failure to Renew NAPA Membership or NAPA Credential Maintenance Fee**

Designation holders are expected to remain NAPA members in good standing and make timely payment of any designation maintenance fee that may be required by NAPA. Failure to pay any required fees by March 1 of each calendar year will result in suspension of the designation.

### **Violation of the ARA Code of Conduct**

Suspension and/or revocation of designations due to actual or reported violation of the ARA Code of Conduct is addressed in the ARA Code of Conduct Disciplinary Procedures.

### **Revocation of Designation**

The designation will be revoked for designation holders who do not correct the deficiency or deficiencies that initiated suspension of the designation.

### **Reinstatement**

Reinstatement may be granted if the following conditions are met prior to the end of the calendar year following the calendar year a designation is suspended or revoked:

- The reinstatement application and new membership application is submitted,
- Required fees including membership, credential maintenance and reinstatement fees are paid in full, and
- Documentation is provided demonstrating completion of required 10 CE (including one Ethics) in the 12 months preceding submission of the application



## Section 6: NAPA CPFA® Certification Exam Content Outline

### Fiduciary Roles and Responsibilities (9-11%)

1. Explain ERISA exclusive purpose and ERISA prudence rule.
2. Identify named fiduciaries.
3. Identify actions that might establish a fiduciary relationship.
4. Explain roles and responsibilities of named fiduciaries.
5. Identify actions covered by the Best Interest Contract Exemption.
6. Differentiate investment advice and investment education.
7. Describe the “best interest contract exemption” under the DOL fiduciary regulation.
8. Differentiate between 3(16), 3(21) and 3(38) fiduciaries.

### Non-Fiduciary Service Providers (5-7%)

1. Identify ministerial functions performed by non-fiduciary service providers.

### Plan Governance and Fiduciary Documentation (5-7%)

1. Identify required and additional documentation for maintaining plan records according to fiduciary best practice.
2. Explain service provider role in assisting with prudent process documentation.
3. Identify when plan documents should be updated.

### Fiduciary Oversight (9-11%)

1. Identify parties-in-interest to the plan.
2. Identify Prohibited Transactions and possible fiduciary breach events.
3. Identify possible consequences of Prohibited Transactions and fiduciary breach events.
4. Explain the DOL role in overseeing plans.
5. Explain how common problems can be corrected using DOL and IRS correction programs.
6. Analyze situations for possible Ethics issues under conflicts of interest.
7. Explain best practice for determining reasonableness of fees.
8. Classify expenses as payable and not payable by the plan assets.
9. Identify main consequences of not documenting prudent process for reviewing fees and services.
10. Compare and contrast a Fidelity bond and fiduciary insurance.



<b>Plan Goals and Objectives (7-9%)</b>
<ol style="list-style-type: none"> <li>1. List considerations when formulating plan goals and objectives.</li> <li>2. Identify Plan Sponsor's business structure and related entities.</li> <li>3. Explain impact of family and related company ownership on plan design.</li> <li>4. Describe impact of cash flow and budget on plan design.</li> </ol>
<b>Plan Types and Provisions (5-7%)</b>
<ol style="list-style-type: none"> <li>1. Compare and contrast IRA-based plans to 401(k) plans.</li> <li>2. Explain hybrid plan combinations.</li> <li>3. Explain plan features.</li> <li>4. Summarize how plan features support plan goals and objectives.</li> <li>5. Explain which plan features are optional based on the plan design.</li> <li>6. Describe roles and responsibilities of the parties involved in creating plan documents based on plan design.</li> <li>7. Explain the different components of an adoption agreement.</li> <li>8. Identify required and optional amendments.</li> </ol>
<b>Participant Outcomes (8-10%)</b>
<ol style="list-style-type: none"> <li>1. Explain importance of successful participant outcomes to Plan Sponsor and participants.</li> <li>2. List considerations for Plan Sponsor to help create successful participant outcomes.</li> <li>3. Compare and contrast education approach and behavioral finance techniques.</li> <li>4. Explain re-enrollment process.</li> <li>5. Evaluate participant outcome by using gap analysis.</li> </ol>
<b>Service Provider Selection (3-5%)</b>
<ol style="list-style-type: none"> <li>1. Explain the roles of service providers.</li> <li>2. Identify factors used to assist in service provider selection.</li> <li>3. Describe fiduciary prudent process for selecting service providers.</li> <li>4. Explain different types of service providers, including bundled and unbundled service models.</li> <li>5. Describe the role of Plan Sponsors regarding required participant disclosures.</li> </ol>
<b>Educating Fiduciaries on Plan Investments (7-9%)</b>
<ol style="list-style-type: none"> <li>1. Explain risk/return, asset classes and diversification of investments.</li> <li>2. Explain differences and similarities between investment options.</li> <li>3. Compare to/through target date funds.</li> <li>4. Explain Qualified Default Investment Alternative (QDIA) rules.</li> <li>5. Compare asset allocation fund models, including impact on participant outcomes.</li> <li>6. Compare active and passive management.</li> <li>7. Explain the impact of revenue sharing on fiduciary prudent process.</li> <li>8. Summarize the process of prudent investment selection.</li> </ol>



### **Investment Policy Statement (7-9%)**

1. Explain fiduciary prudent process to create a broad-based IPS.
2. Identify basic criteria and procedures to follow when selecting and replacing investment options.
3. Identify parties responsible for maintaining the IPS.
4. Describe fiduciary prudent process to change IPS according to best practices.

### **Plan Investment Oversight (9-11%)**

1. Identify components of investment reviews.
2. Recommend the frequency for performing investment reviews and/or plan committee meetings.
3. Describe the importance of investment performance evaluation for a fiduciary prudent process.
4. Determine when investment replacements are appropriate.
5. Identify best practice documentation needed for documenting prudent process when monitoring plan investments.

### **Liaison Services (2-4%)**

1. Explain daily activities required by plan sponsor staff while interacting with service providers.
2. Identify most important actions to prevent most common errors.

### **Retirement Plan Committee and Fiduciary Training (8-10%)**

1. Identify the role of adviser related to the Retirement Plan Committee.
2. Identify attributes of an effective Retirement Plan Committee.
3. Explain the importance of meetings for fiduciary due diligence.
4. Identify best practices for fiduciary training.
5. Describe the process for appointing and replacing fiduciaries.

### **Conversions (2-4%)**

1. Identify conversion documentation as a plan management best practice.
2. Identify conversion documents that are part of a plan management prudent process





## Section 7: ARA Code of Professional Conduct

The purpose of this Code of Professional Conduct (“Code”) is to identify the professional and ethical standards with which a member must comply to fulfill the Member’s responsibility to the American Retirement Association and its affiliate organizations, other Members, and the public. Members are required to adhere to the high standards of conduct, practice, and qualification set forth in this Code.

### 1. Definitions

- **Actuary:** an individual who is a Member of the American Retirement Association and holds an MSPA or FSPA from the ASPPA College of Pension Actuaries or an actuarial credential from another organization that is a member of the International Actuarial Association (IAA) or is an enrolled actuary in good standing with the Joint Board for the Enrollment of Actuaries.
- **Advertising:** all communications by whatever medium, including oral communications, which may directly or indirectly influence any person or organization to decide whether there is a need for Professional Services or to select a specific person or firm to perform such services.
- **Confidential Information:** information not in the public domain of which the Member becomes aware during the course of rendering Professional Services to a Principal. It may include information of a proprietary nature, information which is legally restricted from circulation, or information which the Member has reason to believe that the Principal would not wish to be divulged.
- **Credential:** a membership designation (e.g., Certified Pension Consultant; Member, Society of Pension Actuaries; or Associated Professional Member) conferred by American Retirement Association.
- **Law:** statutes, regulations, judicial decisions, and other statements having legally binding authority.
- **Member:** An individual who is a Member of American Retirement Association or any affiliate organization of American Retirement Association.
- **Principal:** any present or prospective client of a Member or the employer of a Member where the Member provides retirement plan services for their employer’s plan.
- **Professional Communication:** a written, electronic or oral communication issued by a Member with respect to Professional Services.
- **Professional Services:** services provided to a Principal by a Member, including the rendering of advice, recommendations, findings, or opinions related to a retirement or other employee benefit plan.
- **Titles:** leadership positions, volunteer experience, awards and other honors conferred by American Retirement Association.



## **2. Advertising**

Member shall not engage in any Advertising with respect to Professional Services that the Member knows or is reasonably expected to know are false.

## **3. Communications**

A Member who issues a Professional Communication shall take appropriate steps to ensure that the Professional Communication is appropriate to the circumstances and its intended audience.

## **4. Compliance**

A Member shall be knowledgeable about this Code, keep current with Code revisions and abide by its provisions. Laws may impose binding obligations on a Member. This Code is not intended to supplant, contradict or supersede Law (e.g., Circular 230) or other Codes of Conduct that establish professional standards for Members in the rendition of Professional Services and that have been sanctioned by the federal or a state government. Where the requirements of Law or such governmentally-sanctioned Codes conflict with this Code, the requirements of Law or such governmentally-sanctioned Codes take precedence.

## **5. Confidentiality**

A Member shall not disclose to another party any Confidential Information obtained in rendering Professional Services for a Principal unless authorized to do so by the Principal or required to do so by Law.

## **6. Conflicts of Interest**

A Member shall not perform Professional Services involving an actual conflict of interest unless:

- The Member's ability to act fairly is unimpaired; and
- There has been full disclosure of the conflict to the Principal(s); and
- All Principals have expressly agreed to the performance of the services by the Member.

If the Member is aware of any significant conflict between the interests of a Principal and the interests of another party, the Member should advise the Principal of the conflict and include appropriate qualifications or disclosures in any related communication.

## **7. Control of Work Product**

A Member shall not perform Professional Services when the Member has reason to believe that they may be altered in a material way or may be used to violate or evade the Law. The Member should recognize the risk that materials prepared by the Member could be misquoted, misinterpreted, or otherwise misused by another party to influence the actions of a third party and should take reasonable steps to ensure that the material is presented fairly and that the sources of the material are identified.



## 8. Courtesy and Cooperation

- A Member shall perform Professional Services with courtesy and shall cooperate with others in the Principal's interest. A Principal has an indisputable right to choose a professional advisor. A Member may provide service to any Principal who requests it even though such Principal is being or has been served by another professional in the same manner.
- B. When a Principal has given consent for a new or additional professional to consult with a Member with respect to a matter for which the Member is providing or has provided Professional Services, the Member shall cooperate in assembling and transmitting pertinent data and documents, subject to receiving reasonable compensation for the work required to do so. In accordance with Circular 230, the Member shall promptly, at the request of the Principal, return any and all records of the Principal that are necessary for the Principal to comply with federal tax Law, even if the Member is not subject to Circular 230. The existence of a fee dispute generally does not relieve the Member of this responsibility except to the extent permitted by applicable state Law. The Member need not provide any items of a proprietary nature or work product for which the Member has not been compensated.

## 9. Disclosure

A Member shall make full and timely disclosure to a present or prospective Principal of all sources of direct or indirect material compensation or other material consideration that the Member or the Member's firm has received or may receive in relation to an assignment for such Principal. The disclosure of sources of material compensation or consideration that the Member's firm has received, or may receive, is limited to those sources known to, or reasonably ascertainable by, the Member.

## 10. Professional Integrity

A Member shall perform Professional Services and shall take reasonable steps to ensure that Professional Services rendered under the Member's supervision are performed with honesty, integrity, skill, and care. A Member has an obligation to observe standards of professional conduct in the course of providing advice, recommendations and other services performed for a Principal. A Member who pleads guilty to or is found guilty of any misdemeanor related to financial matters or any felony shall be presumed to have contravened this Code and shall be subject to American Retirement Association's counseling and disciplinary procedures.

## 11. Qualification Standards

A Member shall render opinions or advice or perform Professional Services only when qualified to do so based on education, training, and experience.

## 12. Titles and Credentials

A Member shall make truthful use of the membership Titles and Credentials of ARA to which the Member is entitled, and only where that use conforms to the practices authorized by American Retirement Association. A Member who is not an Actuary as defined in section 1 of this Code



shall not professionally represent to the public to be an actuary or knowingly allow such misrepresentation by others.

### 13. Additional Obligations

- A Member whose professional conduct is regulated by another membership organization shall abide by the professional Code of Conduct (or similar rules) of such organization. For example, a Member who is an actuary shall also abide by the [Code of Professional Conduct for actuaries](#).
- A Member shall respond promptly in writing to any communication received from a person duly authorized by American Retirement Association to obtain information or assistance regarding a Member's possible violation of this Code. The Member's responsibility to respond shall be subject to Section 5 of this Code, "Confidentiality," and any other confidentiality requirements imposed by Law. In the absence of a full and timely response, American Retirement Association may resolve such possible violations based on available information.