

Helping you make managing your plan documents easier

Frequently asked questions

Our plan document service includes a broad selection of plan documents to fit the needs of all our clients. To help you better understand what our service has to offer, we have provided answers below to the questions we've been asked the most. Questions that are general in nature or common to all plan documents appear first, followed by questions specific to IRS preapproved documents and specimen section 457(b) plan documents.

Q1: How is a new TIAA plan document different from my current plan document?

A: Our plan document service vendor, FIS Relius, provides a sophisticated and robust platform. Features such as eSignature and summary plan descriptions (or summary of plan provisions) are available for the following section 403(b), section 457(b) and qualified [section 401(a), 401(k) and 403(a)] plan types:

IRS preapproved plan documents for Code section 403(b) plans include:

- ERISA section 403(b) (also available in a "simplified" ERISA version with fewer options)
- Non-ERISA governmental section 403(b)
- Non-ERISA qualified church-controlled organization (QCCO)
- Non-ERISA nonqualified church-controlled organization (Non-QCCO)
- Non-ERISA retirement income account plan for certain churches

IRS preapproved plan documents for qualified plans [Code section 401(a), 401(k), 403(a)] include:

- ERISA money purchase, profit sharing and section 401(k)
- Governmental money purchase, profit sharing and grandfathered section 401(k)
- Church money purchase, profit sharing and section 401(k)

Specimen Code section 457(b) plan documents include:

- Governmental specimen Code section 457(b) plan document
- Private tax-exempt Code section 457(b) plan document

Q2: What's involved in adopting or modifying a plan document with TIAA and what is the cost?

A: There is no additional charge for our plan document service. Updated adoption agreements are provided to all subscribers through the FIS Digital Data Exchange secure website. This website can be accessed directly through PlanFocus® and most users will not be required to supply additional login credentials. The completed plan document will be provided for your review and eSignature.

Q3: Do I need a plan document if the plan is no longer receiving contributions?

A: Most plans that still have assets are required to have a plan document even if the employer and all employees are no longer contributing to the plan. However, for certain grandfathered plans that meet several requirements under IRS Revenue Procedure 2007-71 and certain types of church plans, the plan sponsor may not need a written plan document. You should consult your plan legal counsel regarding this matter.

Q4: Will TIAA provide me with a plan document if the plan no longer offers TIAA among its investment providers?

A: No, our plan document services are only available to plans that currently offer TIAA investment options.

Q5: We need to make a change to our plan design in our plan document. How do I make that request?

A: PlanFocus is your go-to tool for requesting changes to your plan documents. From the Administration tab, select Requests and Forms > Create Service Request. Once on the service request screen, simply choose Plan Modification as the request type, complete the required fields and submit your change. Alternatively, you can work with your assigned TIAA representative to submit your changes.

Q6: I received my adoption agreement package on the FIS Digital Data Exchange website. What actions do I need to take?

A: The information should be reviewed carefully and discussed with your legal counsel to ensure that any prefilled items reflect your intended plan design. Once you have reviewed and approved the document provisions, execute the final plan document using the eSignature capabilities within the FIS Digital Data Exchange website.

Q7: Do I need to have my attorney review the new plan document?

A: Yes, TIAA cannot and will not provide tax or legal advice. We strongly recommend you review your plan document with your legal counsel to ensure that it meets your needs and intentions. Your legal counsel can also advise you on operating or administering the plan in accordance with the new document.

IRS preapproved documents

Q1: What is the difference between restating a plan document and amending a plan document?

A: Restatement involves creating a completely new plan document and typically incorporates prior amendments. An amendment involves changing one or more provisions in the document without creating a totally new document. Our plan document service for our preapproved plan documents generally provides plan sponsors with the option to choose whether to amend or restate their plan document.

Q2: What is a preapproved plan document?

A: A preapproved plan document provides confidence that the form of the document is approved by the IRS and should not be challenged on audit.



Important information

In order for TIAA to continue to provide optional or regulatory updates, you will need to adopt restatements provided by TIAA.

Q3: Are there particular benefits of adopting a preapproved document with TIAA?

A: First, our plan document service, which includes regulatory amendments and client-requested amendments, is provided at no additional charge.

Second, our preapproved plan documents are designed to meet regulatory requirements and work seamlessly with the underlying investment options offered by TIAA. This means the provisions will generally avoid any conflicts with our investment contracts, so there's less risk of failing to follow the terms of the written plan document. Third, we can more efficiently align plan document provisions with our recordkeeping system. Finally, our eDelivery and eSignature capability streamlines the delivery of plan documents and summary plan descriptions to institutional clients.

Q4: Why do preapproved plans need to be restated?

A: Preapproved plans are required to be restated approximately every six years according to cycles established by the IRS. Section 403(b) plans recently had a restatement deadline of June 30, 2020, for restatement onto a preapproved plan. Section 401(a)/(k) plans have had several restatement cycles, the last being what is commonly called "Cycle 3" which had a July 31, 2022, deadline.

Section 457(b) governmental and tax-exempt specimen plan documents

Q1: How does TIAA's section 457(b) plan document service with FIS Relius work?

A: TIAA's plan document service provides section 457(b) governmental and tax-exempt specimen plan documents designed to meet regulatory requirements and facilitate consistency between the terms of your plan and the underlying contracts. Our plan document service vendor, FIS Relius, provides a sophisticated and robust platform offering eDelivery and eSignature capabilities. This platform aligns your section 457(b) plan document with the IRS preapproved plan documents for your other plans, offering the same "look and feel."

Q2: Why are the section 457(b) plan documents considered "specimen" documents when my other plan documents are "preapproved" documents?

A: At this time, an IRS preapproval letter program is not available for section 457(b) plans. By executing the document, you acknowledge that you have consulted with and relied upon your own legal counsel, and understand that the section 457(b) plan document is a specimen document that has not been reviewed or approved by the IRS.

Q3: Will I receive a restated plan document each time I request changes to plan provisions?

A: Our section 457(b) plan document service currently provides plan sponsors with a restated plan document when a modification is requested.

Q4: How can I take advantage of TIAA's plan document service for my section 457(b) plan?

A: Whether you are establishing a new section 457(b) plan or restating an existing section 457(b) plan document, TIAA is here to help. For new plans, your TIAA representative will work with you and your legal counsel to complete a questionnaire outlining plan design features for inclusion in your final section 457(b) plan document. Once the questionnaire is completed, a draft plan document will be published on the FIS Digital Data Exchange website for you to review with your legal counsel and then sign electronically. For restatements, TIAA will map the provisions of your existing plan document to the new section 457(b) specimen plan document, make any requested modifications, and provide a draft to review with your legal counsel and adopt through the same eDelivery method described above.

Please note that TIAA completes plan documents as directed by the plan sponsor. TIAA will not accept liability for any negative consequences, including adverse tax consequences that result from errors in completion of your document or from inconsistencies between your plan document and administrative practices.

For additional information, please refer to the TIAA plan document services fact sheet.

If you would like to restate to an IRS preapproved plan document or section 457(b) specimen plan document, or have questions about our plan document service, please contact your TIAA representative. If you are served exclusively by the Administrative Telephone Center, please submit a service request for a document through PlanFocus. To submit a request, simply go to the Administration tab and select Create Service Request under Requests and Forms. Select the topic Plan Modification and tell us about your request.



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