



June 1, 2026

Actuarial Standards Board
1850 M Street NW, Suite 300
Washington, DC 20036
Via email to comments@actuary.org

Re: Comments on Third Exposure Draft of Proposed Revision of ASOP No. 41

Members of the Actuarial Standards Board:

The Pension, Multiemployer Plans, and Public Plans Committees (Committees) of the American Academy of Actuaries¹ Retirement Practice Council offer the following comments to the Actuarial Standards Board (ASB) in response to the third exposure draft of the proposed revision of Actuarial Standard of Practice No. 41, *Actuarial Communications* (ASOP No. 41). We appreciate the effort and careful consideration of the ASB in their work to update ASOP 41, which has implications for the entirety of the profession.

We have the following comments on the current exposure draft in the format you requested. Note that recommended new text has been underlined and deleted text is listed in strikethrough.

I. Identification:

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|---|
| Name of Commentator / Company |
| Pension Committee, Multiemployer Plans Committee, and Public Plans Committee of the American Academy of Actuaries' Retirement Practice Council. |

II. ASB Questions (If Any). Responses to any transmittal memorandum questions should be entered below.

| Question No. | Commentator Response |
|--------------|----------------------|
| | N/A |

III. Specific Recommendations:

¹ The American Academy of Actuaries is a 20,000-member professional association whose mission is to serve the public and the U.S. actuarial profession. For 60 years, the Academy has assisted public policymakers on all levels by providing leadership, objective expertise, and actuarial advice on risk and financial security issues. The Academy also sets qualification, practice, and professionalism standards for actuaries in the United States.

| Section # (e.g. 3.2.a) | Commentator Recommendation (Please provide recommended wording for any suggested changes) | Commentator Rationale (Support for the recommendation) |
|---------------------------|---|---|
| 2.1 | Actuarial Communication— <u>As defined in the Code of Professional Conduct</u> , “A written, electronic, or oral communication issued by an actuary with respect to actuarial services. ” An electronic communication is a written or oral communication issued by means of a computer or other electronic device. | The <i>U.S. Qualification Standards</i> and <i>Code of Professional Conduct</i> are dynamic documents that change periodically. We think it is better to link common definitions in those documents instead of having a separate definition here, especially since section 1.2 does not indicate what governs in case of conflict between this ASOP and those two documents. If the recommendations for sections 2.1, 2.3, 2.7 and 2.8 are not taken, then we suggest the issue of conflict be addressed in section 1.2 by adding the following sentence to the end of the final paragraph: “If a conflict exists between this standard and the U.S. Qualification Standards or the <i>Code of Professional Conduct</i> , the U.S. Qualification Standards or the <i>Code of Professional Conduct</i> , as appropriate, govern.” |
| 2.3 | Actuarial Services— <u>As defined in the Code of Professional Conduct</u> , “Professional services provided to a principal by an individual acting in the capacity of an actuary. Such services include the rendering of advice, recommendations, findings, or opinions based upon actuarial considerations.” | Same as comment for section 2.1 above. |
| 2.4 and 2.5 | | Note that these defined terms are not in alphabetical order and should be reordered. |
| 2.7 | Principal— <u>As defined in the Code of Professional Conduct</u> , “A client or employer of the actuary.” | Same as comment for section 2.1 above. |
| 2.8 | Statements of Actuarial Opinion— <u>As defined in the U.S. Qualification Standards</u> as “an opinion expressed by an actuary who is subject to the <i>Code of</i> | Same as comment for section 2.1 above. Note that the current definition in the exposure draft for this term does not exactly match the definition in the <i>U.S.</i> |

| Section # (e.g. 3.2.a) | Commentator Recommendation (Please provide recommended wording for any suggested changes) | Commentator Rationale (Support for the recommendation) |
|---------------------------|--|---|
| | <p><u>Professional Conduct</u> by virtue of <u>membership in a U.S.-based actuarial organization, where such opinion is expressed in the course of performing actuarial services and intended by that actuary to be relied upon by the person or organization to which the opinion is addressed.</u> Advice, recommendations, findings, or opinions expressed by an actuary in the course of performing actuarial services and intended by the actuary to be relied upon by the intended user.</p> | <p><i>Qualification Standards</i>, which is not the case for the three previous items.</p> |
| 3.6, second sentence | <p>Unless otherwise disclosed (<u>for example</u>, see sections 4.2[h] and 4.2[i]), the actuary or actuaries issuing the actuarial report will be assumed to have <u>collectively</u> taken responsibility for the statement of actuarial opinion as well as all material assumptions and methods.</p> <p>or</p> <p>Unless otherwise disclosed (see <u>section 4 sections 4.2[h] and 4.2[i]</u>), the actuary or actuaries issuing the actuarial report will be assumed to have <u>collectively</u> taken responsibility for the statement of actuarial opinion as well as all material assumptions and methods.</p> | <p>Sections 4.2[h] and [i] may not be the only instances when an actuary may disclose the scope of their responsibility. For example, actuarial reports may cover actuarial analyses performed by actuaries in different practice areas, and the signing actuaries may take responsibility for only those pieces of the analyses (and associated communications) for which they are qualified and responsible. A common example of this would be a retiree medical valuation under U.S. GAAP where a healthcare actuary may take responsibility for communicating the medical trend and claims assumptions and the associated analysis, and a retirement actuary may take responsibility for the remainder of the assumptions and for the results being communicated. As a result, we think the parenthetical in the second sentence should either indicate these are two examples or be more general and just refer to section 4. In addition, we think the addition of the word “collectively” reflects the roles of a group of actuaries who work together to produce an actuarial report.</p> |
| 4.2d | <p>any pertinent relationship that is not apparent <u>and is known to or reasonably ascertainable to the actuary</u>, if the actuary is not</p> | <p>This wording is not exactly consistent with the requirement of Precept 6 of the Code of Professional Conduct. For example, we are concerned about an actuary in one</p> |

| Section # (e.g. 3.2.a) | Commentator Recommendation (Please provide recommended wording for any suggested changes) | Commentator Rationale (Support for the recommendation) |
|---------------------------|---|--|
| | <p>financially and organizationally independent concerning any matter related to the actuarial report;</p> <p>or</p> <p>any pertinent relationship that is required to be disclosed under Precept 6 of the <i>Code of Professional Conduct</i>; not apparent if the actuary is not financially and organizationally independent concerning any matter related to the actuarial report;</p> | <p>department of a large, global actuarial firm who is not knowledgeable about a lack of organizational independence in a different department, office, country, etc. Either wording similar to that used in Precept 6 should be added, or this should be updated to just refer to the Precept 6 requirement so the ASOP's disclosure requirement changes automatically in the future if there are any changes to Precept 6.</p> |

We appreciate the ASB's consideration of these comments. Please contact Janae Nelson, Policy Project Manager, Retirement (nelson@actuary.org; 202-785-7877), if you have questions or would like to arrange a convenient time to discuss this matter further.

Respectfully submitted,

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