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SPD/SMM Distribution Deadlines

Up to date as of 9.1.12

You must distribute an SPD within:

- 120 days of the effective date of a new plan
- 90 days of:
 - An individual becoming a participant
 - A beneficiary first receiving a benefit

In addition:

- **Generally, you must distribute an updated SPD every 5 years. However, if there have been NO materials modifications, then only every 10 years.** Keep in mind that it would be VERY rare for a plan not to have any material modifications over a 5- or 10-year period.

You must distribute an SMM within:

- 60 days of the effective date of a change or modification that is a reduction in benefits
- For any other modification or change, 210 days after the end of the plan year within which the change occurred

Notes:

- An SMM does not have to be furnished to retired participants, vested separated participants, or beneficiaries receiving benefits if the material modification included in the SMM does not affect their rights under the plan.
- You can distribute a revised SPD instead of an SMM if you choose, but only an SMM is required.
- If you provide regular, periodic communication to employees (at least every 90 days), such as a company newsletter, you can communicate a change or reduction there. However, you also must communicate the change directly to employees, retirees and beneficiaries who do not receive the periodic communication if they are affected by the change.