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Definition of the Term “Fiduciary”; Conflict of Interest Rule—Retirement Investment Advice

Comment On: EBSA-2010-0050-3491

Definition of Term Fiduciary; Conflict of Interest Rule-Retirement Investment

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General Comment

The standard of care for professionals handling retirement accounts should be established at the Fiduciary level. A lower standard of care is misleading and harmful to participants. Most participants are unaware of the degree of care that professionals provide and typically assume that professionals are acting in the participants best interests. If the standard of care is less than the participants best interest the Professional should be required to clearly disclose and emphasize that a lower standard of care is in affect and assure that the participant is aware of the danger.