Top 10 Questions for Plan Committees

Aptly enough, courtesy of ChatGPT

✓ **1. What exactly does the AI tool do?**
Clarify whether it supports data entry, recordkeeping, modeling, or participant interactions — and whether it influences fiduciary or administrative decisions.

✓ **2. Who built and maintains it?**
Identify the vendor or recordkeeper's AI partner. Request documentation on model design, training data, and accuracy testing.

✓ **3. How are participant data and privacy protected?**
Confirm encryption, access controls, and data-sharing limits. Require that your data cannot be reused for model training outside your plan.

✓ **4. What contractual protections are in place?**
Review service agreements for AI-specific clauses on confidentiality, accuracy, liability, and prompt breach notification.

✓ **5. Is there human oversight?**
Ensure that qualified staff or service providers review AI outputs before they impact participants or plan operations.

✓ **6. Are participant communications reviewed?**
If the AI interacts directly with participants, confirm that responses are accurate, neutral, and clearly labeled as automated — not individualized investment advice.

✓ **7. How is performance monitored?**
Include AI tools in annual vendor reviews and request periodic performance reports or error analyses.

✓ **8. Have fiduciaries documented their diligence?**
Keep written records showing how the committee evaluated and approved AI use — this supports procedural prudence under ERISA.

✓ **9. Are governance and policies updated?**
Add AI references to vendor management, cybersecurity, and data privacy policies, and include AI oversight duties in committee charters.

✓ **10. Are fiduciaries staying informed?**
Monitor DOL and Securities and Exchange Commission (SEC) EC developments on AI in benefits administration and adjust practices accordingly.