

Professionalism Considerations

MANY OF THE ACADEMY'S ACTIVE MEMBERS focus their volunteer efforts on public policy or communications efforts, and they may consider professionalism a separate area of Academy activity. However, just as professionalism is essential to actuarial work, it is integral to the Academy's public policy and communications activities.

Some of the areas where professionalism and public policy or communications interrelate are:

- ▶ proposed laws
- ▶ amicus curiae briefs
- ▶ presentations
- ▶ committee work
- ▶ seminars
- ▶ support to the Council on Professionalism

Proposed Laws

Many proposals for new or revised statutes or regulations involve issues of actuarial conduct, practice, or qualification. For example, a proposed statute might call for an actuary to reveal what would otherwise be confidential information. A draft regulation might call for an actuarial certification without requiring the certifying actuary to be a member of the Academy and therefore subject to the qualification standards.

Please keep professionalism issues in mind when reviewing proposals for new or revised laws and feel free to contact the Council on Professionalism for assistance in addressing the professionalism aspects of those proposals in comment letters or testimony.

It is also important that Congress, state legislators,

and regulators appreciate the professionalism of actuaries. For example, during the public debate concerning cash balance plan conversions, the Academy wrote to Congress emphasizing that the profession has a Code of Professional Conduct that would prohibit actuaries from participating in schemes to defraud participants, and we believe that the correspondence helped repair damage to the profession's reputation. Please remember to emphasize the professionalism of actuaries as appropriate in comment letters or testimony, and call upon the Council on Professionalism for any assistance you may require.

Amicus Curiae Briefs

One way that the Academy addresses public policy issues affecting actuaries is by filing amicus curiae (friend of the court) briefs in litigation. These briefs are developed by the practice councils and the Academy Legal Department, and they often involve professionalism issues. If you become aware of litigation that has the potential to affect the Academy's members or that addresses issues of an actuarial nature, consider contacting the Legal Department to request an amicus curiae brief.

Presentations

At actuarial meetings, Academy volunteers often make presentations concerning Academy activities or various aspects of practice. To the extent that relevant actuarial standards of practice exist or are being developed, it is useful to make reference to those standards in the presentation to enhance audience sensitivity to professionalism issues. Similarly, if a particular topic raises issues relevant to the Code of Professional Conduct or qualification standards, it is helpful to mention those as well.

Committee Work

As Academy members work on public policy and communications projects, they should do so in compliance with the Code of Professional Conduct. (The Academy's conflict of interest policy emphasizes one aspect of this need

for compliance; its policy on use of membership titles and designations addresses another.) Public statements are often, if not always, statements of actuarial opinion, and should comply with the code, relevant actuarial standards of practice, or the qualification standards.

Seminars

The Academy's councils occasionally offer seminars on various aspects of practice. (For example, the Financial Reporting Council has held a seminar on the modeling aspects of its unified valuation system project.) Seminars can be essential to ensuring that actuaries have the necessary basic and continuing education to meet the qualification requirements of the Code of Professional Conduct.

Please consider whether there are particular subjects in your practice area that need to be addressed with a seminar. For example, the Life Practice Council suggested the need for a seminar for illustration actuaries. Please contact the Council on Professionalism if you would like help developing professionalism content for any seminar.

Support to the Council on Professionalism

The practice councils can support the work of the Council on Professionalism in a number of ways. They can develop comments on proposed actuarial standards of practice or changes to the Code of Professional Conduct or qualification standards; these comments are invaluable to the development of appropriate standards of conduct, practice, and qualification. The councils can also assist by notifying the Actuarial Standards Board when it appears that a new actuarial standard of practice is needed or that an existing standard needs to be revised or repealed. The councils also develop practice notes that compile practices used by actuaries to comply with applicable law and actuarial standards of practice. In some instances, the councils also help the Council on Professionalism update its applicability guidelines for the actuarial standards of practice.