



Compliance eNewsletter

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InfoSight News

Security – Active Shooter

As hard as it is to imagine, current events remind us to be vigilant in protecting our members and ourselves. It's a good time to review the [Active Shooter](#) information in the Security channel to remind your staff how they should respond if the situation occurs.

Compliance News

S.2155 Includes Federally Mandated Training

In a recent [Compliance Blog post from CUNA](#), it was mentioned that Senior Financial Abuse Training is “federally mandated.” To clarify, this training is required under [S.2155 \(Section 303\)](#) if the credit union “wishes to qualify for immunity when reporting such abuse.” Be sure to read both the blog and the information from Congress to ensure compliance.

Source: CUNA and Congress.gov

Preventing Elder Financial Abuse

Back in 2016, the [CFPB published an advisory](#) for banks and credit unions on how to prevent, recognize, report and respond to financial exploitation of older Americans, and it's worth presenting again.

“With their opportunities for face-to-face transactions, banks and credit unions are well-situated to protect older Americans from financial exploitation. The great majority of older adults have checking or savings accounts and many rely on tellers as their primary form of banking. Financial institutions are also uniquely suited to detect and act when an elder account holder has been targeted or victimized and are mandated to report suspected elder financial exploitation under many states’ laws.

The Bureau’s actions represent the first time a federal regulator has provided an extensive set of voluntary best practices to help banks and credit unions fight this

pervasive problem. Along with the advisory, the CFPB issued a report that provides an in-depth look at financial exploitation, case scenarios, and detailed recommendations to prevent and respond quickly to abuse. Recommendations for financial institutions to consider include:

- **Training staff to recognize abuse:** Financial institutions should train employees to prevent, detect, and respond to abuse. Training should cover the warning signs of financial exploitation and appropriate responses to suspicious events.
- **Using fraud detection technologies:** Financial institutions should ensure that their fraud detection systems spot suspicious account activity and products associated with elder fraud risk. This includes using predictive analytics to review account holders' patterns and explore additional risk factors that may be associated with elder financial exploitation. Some signs of elder fraud risk may not match conventionally accepted patterns of suspicious activity, but nevertheless may be unusual given a particular account holder's regular behavior.
- **Offering age-friendly services:** Banks and credit unions should enhance protections for seniors, such as encouraging consumers to plan for incapacity. They can also offer age-friendly account features such as opt-in limits on cash withdrawals or geographic transactions, alerts for specific account activity, and offer view-only access for authorized third parties. And they can enable older consumers to provide advance consent to share account information with a trusted relative or friend when the consumer appears to be at risk.
- **Reporting suspicious activity to authorities:** Financial institutions should promptly report suspected exploitation to relevant federal, state, and local authorities, regardless of whether reporting is mandatory or voluntary under state or federal law. Banks and credit unions can work closely with local Adult Protective Services and law enforcement to enhance prevention and response efforts, including expediting document requests and providing them at no charge."

Additionally, the CFPB provided ["Recommendations and report for financial institutions on preventing and responding to elder financial exploitation."](#)

Source: CFPB

HRA coverage expanded

The Departments of Health and Human Services, Labor, and the Treasury have announced [regulatory amendments](#) to be published June 20 that will expand the use of health reimbursement arrangements (HRAs). When employers have fully adjusted to the revised rules, it is estimated these changes will benefit approximately 800,000 employers, including small businesses, and more than 11 million employees and family members, including an estimated 800,000 Americans who were previously uninsured. [FAQs regarding the changes](#) were also released.

Source: Departments of Health and Human Services, Labor, and the Treasury

OFAC adjusts penalties for inflation

OFAC has published an amendment [[84 FR 27714](#)] to its regulations to implement the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended . This regulatory amendment, which is effective on publication, adjusts for inflation the maximum amount of the civil monetary penalties that may be assessed under relevant OFAC regulations.

Source: OFAC

Advocacy Highlight

CUNA's Advocacy Resources

- [This Week in Washington – June 17, 2019](#)
- [House passes NDAA FY2020 without credit union-opposed amendment](#)
- [Credit union-supported bills pass Financial Services Committee](#)
- [NCUA's Proposed, Pending and Recently Final Regulations](#)
- [CUNA's 2019 Advocacy Agenda](#)
- [Input to lawmakers and regulators](#)
- [CUNA Advocacy page](#)
- [CUNA's Removing Barriers blog](#)
- [CUNA's Priorities](#)
- [Actions You Can Take](#)

Compliance Calendar

- June 21st, 2019: Return for Questionable Transaction (Effective Date)
- July 1st, 2019: Loans in Areas Having Special Flood Hazards (Effective Date)
- July 4th, 2019: Independence Day - Federal Holiday
- September 2nd, 2019: Labor Day - Federal Holiday
- September 20th, 2019: Providing Faster Funds Availability (Effective Date)

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