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# Gray, Gray & Gray News - Employee Benefit Plan Audits

#### 2020 PPP Loan Expense Deductions Can Be Brought Forward



Thanks to the far-reaching Consolidated Appropriations Act passed in December 2020, small businesses that used funds from a first round Paycheck Protection Program (PPP) loan to pay eligible expenses were also granted the right to take a deduction on their 2020 tax return - even if the PPP loan was forgiven (or was expected to be forgiven). However, many businesses relied on earlier guidance and did not take the eligible tax deductions.

Those early filers now have a reprieve, thanks to a new "safe harbor" ruling that allows taxpayers who filed a tax year 2020 return on or before Dec. 27, 2020, to deduct eligible expenses on their 2021 tax return rather than going through the process of filing an amended return or making an administrative adjustment request.

If your business or organization was the recipient of a first round PPP loan and you did not

deduct eligible expenses in an early tax return filing, you may be able to claim those deductions on next year's tax return. For more details and information on eligibility and filing requirements, please contact Gray, Gray & Gray at (781) 407-0300.

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# Employee Benefits

## Find Problems With Benefit Plans Before the IRS Does



The IRS is conducting more audits involving qualified employee benefit plans. The ultimate punishment the IRS can impose is disqualification of a plan. There are also penalties and fees that can be devastating to a business. Fortunately, an employer might be able to identify and correct some problems before an audit. Click "Full Article" for a list of compliance errors, along with IRS programs to fix inadvertent problems.

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### **Benefit Tax Issues**

# **Generous Health Plan May Not Preclude HSA Contribution**



If you're covered only by a health insurance plan with a high-deductible, you may be eligible to contribute to a taxadvantaged health savings account, even if your spouse has other, more generous coverage. The rules can be confusing, but the IRS has clarified who qualifies and who doesn't with some examples. Here are the specifics.

# **Retirement Plans**

## **ERISA Protection Extended to Working Owners**



**Are you the working owner** of a small business that sponsors a retirement plan for yourself and your employees? If so, are you considered a plan participant, entitled to protection of your retirement income from creditors? That question was answered by the U.S. Supreme Court. To find out what the ruling means, keep reading.

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"We formerly had our employee benefit plan audit with one of the 'Big Four' national accounting firms, but knew that we were not getting the attention and service we needed. Making the switch to Gray, Gray & Gray was like night and day! We are getting the same degree of competence and experience, but with a much higher level of service. At much more reasonable fees, too!" -New England Sports Network (NESN)

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