



# Electronic Alert

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## **ACA Reporting Reminder and Update** **By Iris K. Tilley and Allison J. Jacobsen**

Talk of a potential repeal or overhaul of the Affordable Care Act (ACA) has been peppering our news cycle for weeks now. However, employers should not burn those ACA reporting forms just yet. ACA reporting remains on the books as we approach the new year, and for now, employers should assume that ACA forms will be due to employees and the IRS in 2017 and beyond.

### **ACA Reporting Reminder**

As a reminder, under the ACA, employers with 50+ full-time equivalent employees in the prior tax year (2015 in this case) are required to report information related to the health coverage they offered (or did not offer) their employees working 30 or more hours per week. Employers offering self-insured health plans are also required to report information related to their health plan offerings, whether or not they are large enough to otherwise fall under the reporting rules.

### **Reporting Instructions**

The IRS published final 2016 reporting rules, which cover the reporting that employers will do in 2017. These instructions, detailing new rules surrounding transition relief, can be found [here](#).

### **When Reports are Due**

Earlier this month, the Department of Treasury (Treasury) and the Internal Revenue Service (IRS) announced that the due date to furnish 2016 Forms 1095-B and 1095-C to individuals has been extended for 30 days, from January 31 to March 2, 2017. The announcement cited many employers, insurers, and other minimum essential coverage providers as needing additional time to compile information and prepare the forms. The Treasury and IRS did not, however, extend the due date to file Forms 1094-B, 1095-B, 1094-C, and 1095-C; that deadline remains February 28, 2017, or March 31, 2017 if filing electronically.

In the same announcement, the Treasury and IRS have also granted transition relief from penalties to reporting entities that can show they have made good faith efforts to comply with reporting requirements (both for furnishing to individuals and for filings) under ACA sections 6055 and 6056 for 2016 reporting.

This and other timely topics will be covered in Barran Liebman LLP's December 6, 2016 breakfast seminar, [The Post-Election Picture for Employers](#). We hope to see you there.