

ACA Information Return Deadline Extended

Cross References

- Notice 2016-70
- IRC §6055
- IRC §6056
- Form 1095-B, *Health Coverage*
- Form 1095-C, *Employer-Provided Health Insurance Offer and Coverage*

Under the Patient Protection and Affordable Care Act (ACA), health insurance companies and self-insuring employers are required to file and furnish annual information returns regarding coverage provided. Form 1095-B, *Health Coverage*, is then used by the recipient to prove that he or she (and family if applicable) have health insurance coverage, and thus not subject to the penalty tax for failure to have health insurance.

Likewise, the ACA requires applicable large employers (generally those with 50 or more full-time equivalent employees) to file and furnish annual information returns and statements regarding coverage provided (Form 1095-C, *Employer-Provided Health Insurance Offer and Coverage*). Employees then use these forms to prove they have health insurance coverage. The forms also prove whether or not the employee was offered health insurance but declined. If the employee is offered affordable coverage by the employer, even if the employee declines coverage, the employee does not qualify for the Premium Tax Credit when purchasing individual coverage on the Exchange.

The law requires that these two forms be furnished to the recipient on or before January 31 following the calendar year to which the statement relates. For the 2015 calendar year, Notice 2016-4 extended the due date for furnishing these statements to March 31, 2016.

Transition relief for calendar year 2016. The IRS has determined that a substantial number of employers, insurers, and other providers of health insurance need additional time beyond the January 31, 2017 due date to gather and analyze the information and prepare 2016 Form 1095-B and Form 1095-C to be furnished to recipients. Accordingly, Notice 2016-70 extends the deadline 30 days to furnish Form 1095-B and Form 1095-C to the recipients. This extension does not apply to the transmittal forms (Form 1094-B and Form 1094-C) that must be filed with the IRS. Those due dates for filing remain at February 28, 2017, if not filing electronically, or March 31, 2017, if filing electronically.