

IRS Releases Draft Forms for 2015 ACA Reporting

The IRS recently released draft forms that health coverage providers and employers will use to satisfy their 2015 calendar year ACA information reporting obligations. The IRS will use the information provided in these forms to enforce the individual and employer shared responsibility requirements (“mandates”), and to administer the low-income subsidies provided to eligible individuals who purchase coverage in the public marketplace.

Background

The ACA added two significant reporting requirements to the Internal Revenue Code (Code):

- **Code Section 6055 reporting.** Intended to support IRS enforcement of the individual shared responsibility provision (“individual mandate”)
- **Code Section 6056 reporting.** Intended to support IRS enforcement of the employer shared responsibility provisions (“employer mandate”) and the low-income subsidies for coverage purchased in the public marketplace

Both reporting requirements are effective for medical coverage provided on or after January 1, 2015, with the first information returns to be filed with the IRS by February 29, 2016 (March 31, 2016, if filed electronically) and provided to individuals by February 1, 2016.

The IRS previously issued final forms and instructions for reporting 2014 coverage, which was voluntary for employers. The recently issued draft forms are for use in reporting 2015 coverage. Instructions for completing the 2015 forms have not yet been released.

2015 Draft ACA Reporting Forms

The recently released draft forms include:

[Form 1095-B](#): Health Coverage

[Form 1094-B](#): Transmittal of Health Coverage Information Returns

[Form 1095-C](#): Employer-Provided Health Insurance Offer and Coverage

[Form 1094-C](#): Transmittal of Employer-Provided Health Insurance Offer and Coverage Information Returns

Form 1095-B is used by insurers, multiemployer plans and certain other health coverage providers to report the Section 6055 information. Employers can also use the 1095-B in certain circumstances to report individuals with COBRA or retiree coverage. The Form 1094-B is for transmitting the returns to the IRS.

Form 1095-C is used by employers subject to the employer mandate to report Section 6056 information (and with respect to self-insured coverage, Section 6055 information), with Form 1094-C used for transmitting the returns to the IRS.

With limited exception, the 2015 draft forms are identical to the 2014 final forms. The Form 1095-C and Form 1095-B each include an additional continuation sheet that an entity may use if required to report on more than six covered individuals in Parts III and IV, respectively. The 1095-C also includes an additional field — Plan Start Month — in Part II. Notes at the end of the draft form state that completion of this new field is optional for 2015 but will be required for 2016 and subsequent years. The notes also state that the indicator codes in Part II, line 14, “Offer of Coverage” will not change for 2015, but beginning for 2016, employers will need to use two additional codes, if applicable, to indicate to the IRS and to full-time employees that the employer’s coverage offer to a spouse is a conditional offer.

In Closing

Barring any unforeseen developments in the instructions, the lack of substantive changes to 2015 draft forms means that current plans for completing and submitting the information returns for 2015 may continue.

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