

October 2015

BENEFITS ALERT: Health Plan Reporting Under PPACA

Beginning in 2016, health plans and employers will have a reporting obligation to the IRS so that the IRS can determine whether individuals are complying with the Affordable Care Act's individual mandate and whether employers are complying with that Act's employer mandate. Reporting falls under two types of Forms, the –B forms and –C forms. The –B forms (the Form 1095-B and its accompanying IRS transmittal Form 1094-B) is for plans, and the –C forms (the Form 1095-C and its accompanying IRS transmittal Form 1094-C) is for employers.

In August, we alerted you to new IRS guidelines concerning reporting obligations on the –C forms for **employers** participating in multiemployer plans. (See <http://www.clearyjosem.com/wp-content/uploads/2015/08/PPACA-Reporting-Relief-August-2015.pdf>) In this Alert, we want to remind you of **plan** reporting obligations to the IRS on the –B forms.

Who Must File: Self-Insured vs. Insured

The –B Forms must be filed with respect to all employer plans, including multiemployer plans. Plans that are self-insured are responsible for handling the reporting themselves, while insurance companies are required to handle the filing for insured plans. If your plan is insured, we suggest that you contact your insurance carrier to confirm that it will be handling the –B filings.

Information Required

Information that plans are required to report on the –B forms include participant and dependent names, social security numbers, and the months in which they were covered by the plan. Note that unlike the information required on the –C forms, the information to be entered here is whether an individual was covered by the plan, not whether a contribution was made on his/her behalf, for a particular month.

Filing Logistics

A copy of the Form 1095-B is to be provided to each member (reported as the “responsible individual” on the Form) by January 31, 2016, and to the IRS (along with the transmittal Form 1094-B) by February 29, 2016 (March 31st, if filing electronically).

Links

A link to the IRS instructions for the –B forms is here: <http://www.irs.gov/pub/irs-pdf/i109495b.pdf> and a link to the –B forms themselves are here: <http://www.irs.gov/pub/irs-pdf/f1094b.pdf> and here: <http://www.irs.gov/pub/irs-pdf/f1095b.pdf>

The materials provided in this communication are for informational purposes only. This communication is not intended to provide advice, create an attorney-client relationship or render a legal opinion. This communication does not necessarily reflect the opinion of Cleary, Josem & Trigiani LLP or any of its individual attorneys. Clients are encouraged to call any of the Cleary, Josem & Trigiani LLP attorneys if you have questions about the items reported on here.

325 Chestnut St, Ste. 200 | Philadelphia, PA 19106
Copyright 2016 Cleary, Josem & Trigiani LLP