

## IRS Releases Draft 2017 Forms for ACA Information Reporting

August 7, 2017

The IRS recently issued draft versions of the forms for 2017 ACA information reporting (for reporting in early 2018).

Specifically, the IRS released new drafts of:

- Form 1094-C, available [here](#)
- Form 1095-C, available [here](#)
- Form 1094-B, available [here](#)
- Form 1095-B, available [here](#)

While these draft forms give us some new information about how to complete 2017 information reporting, it is important to note that these are draft forms only, and accordingly, are not to be used for filing. The IRS will release final forms to be used for filing at a later date.

### What are the Changes to the Draft 2017 Forms?

There are only a couple of noteworthy changes to the reporting requirements on the new forms. Here are the highlights:

**Form 1094-C:** The IRS only made one change - the removal of the Line 22 box for "Section 4980H Transition Relief." This relief was applicable only to the 2015 plan year. It remained on the 2016 form since some non-calendar-year plans qualified for this relief for months of the 2015 plan year that fell into the 2016 calendar year.

**Form 1095-C:** There are no substantive changes on the face of the form. A new paragraph in the "Instructions for Recipients" Section of the form, entitled "Additional information," refers recipients to an [IRS webpage](#) that provides an overview of the ACA's individual shared responsibility provisions, employer shared responsibility provisions, and premium tax credit provisions, along with contact information for the IRS Healthcare Hotline for questions.

**Form 1094-B:** This form is unchanged from last year.

**Form 1095-B:** While there were no substantive changes from last year's form, this form also includes the new "Additional information" paragraph that was added to the draft Form 1095-

C (discussed above).

Additional information on the new 2017 reporting requirements is still yet to come, and will be released in the IRS' draft Instructions for 2017 reporting.

While we expect the draft Instructions to be released before the end of August, given that the new draft forms do not look very different from the 2016 ones, we do not expect the changes announced in the draft 2017 Instructions to be very extensive.

### When are the Furnishing and Filing Deadlines for 2017?

While the deadlines for furnishing the forms for the 2016 tax year were extended, the reporting deadlines this year (for reporting in early 2018) are expected to return back to their normal time frame.

Here are the new deadlines for furnishing and filing the forms for the 2017 calendar year:

- Paper Filings (less than 250 returns): must be filed by February 28, 2018.
- Electronic Filings (250 or more returns): must be filed by March 31, 2018.
- Forms must be furnished to employees by January 31, 2018.

(Note that, if the due date falls on a Saturday, Sunday, or legal holiday, then the deadline is the next business day).

### Background on ACA Information Reporting:

Forms 1094-C and 1095-C are used by employers with 50 or more full-time employees and full-time equivalents ("applicable

## SYNOPSIS

The drafts, which are not intended for actual filing, provide insights into how to complete 2017 information reporting.

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large employers” or “ALEs”) to report on information about their compliance with the Employer Shared Responsibility (Pay or Play) provisions of the ACA.

Forms 1094-B and 1095-B are used by coverage providers, including sponsors of self-insured health plans, to report on health plan enrollment. It should be noted that ALEs sponsoring self-insured health plans are allowed to satisfy their requirements by reporting coverage information on the Forms 1094-C and 1095-C.

#### What Should Employers Do Next?

Despite recent efforts to repeal, replace or amend the ACA, no changes have yet been made to the ACA’s reporting requirements. Accordingly, proper ACA information reporting

is absolutely essential to avoiding penalties. Penalties for failing to properly complete ACA information reporting are \$250 (indexed) per return, capped at a maximum of \$3 million (indexed).

If your organization is an employer with 50 or more full-time employees and full-time equivalents, then it is important that your HR, Payroll and Benefits teams review and familiarize themselves with the new forms and their requirements. Corporate Synergies’ consultants, account managers and benefits technology teams can assist with this process.

**If you have any additional questions, please call your Corporate Synergies Account Manager or 866.CSG.1719.**

**Despite efforts to repeal, replace or amend the ACA, no changes have been made to the law’s reporting requirements. Proper information reporting is essential to avoiding penalties.**

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