

# ACA FILINGS DUE ON MARCH 2ND

*Monthly Minute Newsletter*



## IN THIS ISSUE

**ACA: 1094-C and 1095-C  
QUESTIONS  
OFFICIAL GUIDANCE  
ACTION REQUIRED**

## ACA:

### ***1094-C and 1095-C Reporting***

Applicable large employers (ALEs), which generally are entities that employed 50 or more full-time and full-time-equivalent employees in the preceding calendar year, are required to report whether they did or did not offer health coverage to certain employees. To comply with this reporting requirement, the ALE must furnish Form 1095-C to the employee or former employee and file copies, along with transmittal Form 1094-C, with the IRS.

Small employers (under 50 full-time-equivalent employees) that sponsor level funded health plans are also subject to reporting requirements.

“ This only applies to employers that offer group health insurance and have over 50 employees or offer a level funded health plan. ”

# QUESTIONS

## ***What is the purpose of the employer reporting requirements?***

The reporting requirements are intended to help the IRS administer several provisions under the Affordable Care Act. Specifically, the IRS uses information reported by employers to determine:

- Employees that are (or are not) eligible for subsidies if they purchase health insurance in the individual Health Insurance Exchange (Marketplace); and
- ALEs that fail to offer affordable minimum value coverage to full-time employees and whether the employer may be subject to potential penalties.

## ***What are the due dates for completing the reporting requirements?***

The 2022 forms (i.e., forms reporting calendar year 2022 information) are due as follows:

- 2022 Form 1095-C (employee statement): Due March 2, 2023.
- 2022 Form 1094-C (transmittal form with copies of Forms 1095-C): Due February 28, 2023 (or March 31, 2023, if filing electronically).

## ***Are there penalties for failing to comply with the information reporting requirements?***

Yes, and the penalties may be substantial. For instance, the penalty is \$290 for each failure to file a complete return and for each failure to provide a complete form to an employee (up to over a \$3,000,000 maximum). Lesser penalties may be imposed for reporting incorrect information provided the error is corrected within certain timeframes.

# OFFICIAL GUIDANCE

The IRS maintains a helpful [Information Center](#) webpage with resources and tips for applicable large employers about the information reporting requirements and other topics.

**CONNECT TODAY**  
**813-988-1234**

# ACTION REQUIRED

## ***Attention all employers with a group health plan:***

Under Section 204 of the Consolidated Appropriations Act (CAA), health insurers offering group or individual health coverage and self-funded group health plans are required to report data annually regarding prescription drugs and health care spending to the Departments of Health and Human Services, Labor, and Treasury (Tri-Agencies).

***The first phase is the Prescription Drug Data collection with a submission deadline of June 1st, 2023. The carriers have begun sending out surveys to collect information and submit on your behalf. Please respond to these requests by the specified deadline (most are requesting by the end of February). If the information is not submitted you may be required to take additional steps to fulfill the data collection requirement directly with the CMS.***

## ***Prior to completing the online survey please compile the following:***

- Member and employer average premium,
- Administrative fees/TPA fees (if applicable)
- Medical, pharmacy, behavioral, and wellness vendors and their EIN (Employee Identification Number) if you have any vendors other than the medical carrier.

For more information visit the site:

<https://www.cms.gov/ccio/programs-and-initiatives/other-insurance-protections/prescription-drug-data-collection>.

Please do not hesitate to contact the Benefit Department with questions.