

IRS Extends Deadline to Provide Forms 1095-B and 1095-C to Individuals

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The Patient Protection and Affordable Care Act (ACA) requires applicable large employers, as well as all employers that sponsor self-funded health plans, to report certain health plan coverage information. Applicable large employers must report the offers of coverage they extend to full-time employees and their dependents. Employers that sponsor self-funded health plans must report the months of coverage for individuals who are actually enrolled in coverage. Employers must report this information to the relevant individuals and the Internal Revenue Service (IRS) via IRS Forms 1094-B, 1095-B, 1094-C, and 1095-C.

Typically, Forms 1095-B (for employers that sponsor self-funded plans and do not qualify as applicable large employers) and 1095-C (for applicable large employers) must be provided to individuals each year on January 31 for coverage offered the prior calendar year. This means that reporting on 2018 coverage would ordinarily be due on January 31, 2019. In [Notice 2018-94](#), the IRS extends the due date for furnishing Forms 1095-B and 1095-C to individuals. Employers now must provide these forms to individuals by March 4, 2019. Due to this blanket extension, the IRS will not automatically grant additional 30-day extensions to employers.

Note that Notice 2018-94 extends the due date only for providing the relevant ACA forms to individuals. It does not extend the due date for filing the applicable forms with the IRS. The due date for forms filed on paper with the IRS remains February 28, 2019. The due date for forms filed electronically (which is required of employers filing 250 or more of the same form) remains April 1, 2019. Employers that timely file IRS Form 8809 generally receive an automatic 30-day extension of these filing deadlines.

In addition to the extension described above, Notice 2018-94 addresses the good faith transition relief that the IRS has provided each year. The ACA reporting regulations provided transition relief in 2015 for entities that made a good faith effort to comply with the reporting requirements. Each year, the IRS has extended this transition relief. Notice 2018-94 again extends that transition relief for 2018. Specifically, the IRS generally will not assess filing penalties for incorrect or incomplete information where an employer made a good faith effort to comply with the reporting requirement. To be eligible for transition relief, the employer must timely furnish the appropriate forms to individuals and timely file the appropriate forms with the IRS.

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