

January 2, 2018

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IRS Extends ACA Reporting Deadline

Flash Update

The IRS is extending the due date for providing IRS Form 1095 to the employees. As you will recall, large employers (i.e. employers with 50 or more full time and full time equivalent employees) plus employers with self-funded health plans have to prepare, distribute and file IRS Form 1094 and IRS Form 1095.

Note that the IRS filing due date for IRS Form 1094 is **unchanged**. Below is a breakdown of the due dates, reflecting how only one date is being pushed back.

Old Due Date for Providing 1095 to Full-Time Employees/Participants: **January 31, 2018**

Due Date for Filing 1094/1095 with IRS in Paper Format: February 28, 2018

Due Date for Filing 1094/1095 with IRS in Electronic Format: April 2, 2018

New Due Date for Providing 1095 to Full-Time Employees/Participants: **March 2, 2018**

Due Date for Filing 1094/1095 with IRS in Paper Format: **REMAINS THE SAME** (February 28, 2018)

Due Date for Filing 1094/1095 with IRS in Electronic Format: **REMAINS THE SAME** (April 2, 2018)

Because of the extension granted under this notice, some individual taxpayers may not receive a Form 1095-B or Form 1095-C by the time they are ready to file their 2017 tax return. Taxpayers may rely on other information received from their employer or other coverage provider for purposes of filing their returns. Taxpayers do not need to wait to receive Forms 1095-B and 1095-C before filing their returns.

See this link for more information:

<https://www.benefitslawadvisor.com/2017/12/articles/1094-c/employers-rejoice-irs-announces-filing-extension-for-furnishing-2017-forms-1095-b-and-1095-c-and-continued-good-faith-transition-relief/>

New Tax Law Eliminates Individual Mandate for 2019

President Trump signed sweeping tax reform legislation on December 22, 2017. One provision of the bill repeals the individual mandate beginning January 1, **2019**.

<https://www.healthaffairs.org/doi/10.1377/hblog20171220.323429/full/>

Note that only the individual mandate and not the employer mandate has been repealed. This means individuals are still subject to the mandate in 2018 and, unless Congress and the President act, the employer mandate remains in effect indefinitely. As noted above, employers still need to comply with the reporting Obamacare requirements.



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This update is sent periodically to keep you informed of employee benefit plan issues that may impact your organization.