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## ACA Reporting – Draft Forms and Instructions Released

Draft versions of the 2015 forms and related instructions were released in early August to be used by employers and other reporting entities to report information on healthcare coverage as required by the Affordable Care Act. The 2015 draft forms and instructions are posted at [IRS.gov/draftforms](http://IRS.gov/draftforms). The IRS will use the information collected on the forms to enforce both the individual mandate and the employer shared responsibility “pay or play” rules. The reporting will allow the IRS to verify an employers’ liability for employer shared responsibility payments and an individuals’ eligibility for premium tax credits.

The instructions and forms will be used by applicable large employers (ALEs), insurers, multiemployer plans, and small employers with self-insured plans. The reporting is required for medical coverage provided on or after January 1, 2015, with the first information returns to be distributed to individuals by February 1, 2016. The draft instructions provide for a 30-day extension that may be granted by submitting a letter to the IRS on or before the due date for providing forms to individuals. Information returns must also be filed with the IRS by February 29, 2016 (March 31, 2016, if filed electronically). The draft instructions provide for an automatic 30-day extension if Form 8809 is submitted to the IRS on or before the filing due date.

Reporting entities had the option to voluntarily file in 2015 for 2014 coverage, using the 2014 final forms and instructions. See our prior [Update](#) for information on the reporting requirement and the 2014 final forms. In June the IRS posted earlier versions of the 2015 draft forms without instructions. Employers should note that the new draft 2015 forms and instructions subsequently released in August are still in draft form. While the IRS made several changes to the 2014 final instructions, the revised August 2015 draft forms are generally unchanged from the June draft versions. The draft 2015 instructions include new details on filing corrected paper returns, and refer to information on electronic filing corrections found at [IRS Publication 5165](#). For more information on the final rules on this IRS information reporting for employers, please see the [IRS ACA Reporting webpage](#).

The release of the updated draft 2015 forms and instructions is a further step in the IRS finalizing the process for employers to comply with the pay or play mandate and reporting requirements. Final 2015 forms to be used for the actual filings due in 2016 will be posted by the IRS at a later date. Conner Strong & Buckelew will provide alerts and updates as new information is issued on this important topic. While we can assist with a general understanding of these rules, we will not handle form preparation, and we will refer our clients to their tax and legal advisors for assistance

with specific issues/complexities regarding appropriate eligibility and hours tracking rules, and the actual implementation of the data gathering, tracking and reporting rules.

Should you have questions about this or any aspect of federal health insurance reform, contact your Conner Strong & Buckelew account representative toll free at 1-877-861-3220. For a complete list of Legislative Updates issued by Conner Strong & Buckelew, visit our online [Resource Center](#).



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