

December 5, 2018

It's Déjà Vu for ACA Reporting – 2018 Due Date Extension

By Bruce Davis

On November 29, 2018, the IRS released Notice 2018-94 announcing an extension of furnishing 2018 Forms 1095-B and 1095-C, from January 31, 2019, to March 4, 2019. This extension is basically identical to the extension the IRS provided for furnishing the 2017 Forms 1095-B and 1095-C in Notice 2018-06. As they indicated last year, the IRS encourages employers and other coverage providers to furnish the Forms “as soon as they are able.”

Notice 2018-94 does not extend the due date for employers, insurers, and other providers of minimum essential coverage to file 2018 Forms 1094-B, 1095-B, 1094-C, and 1095-C with the IRS. The filing due date for these forms remains February 28, 2019 (April 1, 2019, if filing electronically).

In Notice 2018-94, the IRS once again indicates that good faith reporting standards will apply for 2018 reporting. This means reporting entities will not be subject to penalties for incorrect or incomplete information if they can show they have made good faith efforts to comply with the 2018 Form 1094 and 1095 information reporting requirements. This relief pertains to missing and incorrect taxpayer identification numbers, dates of birth, and other required return information. However, no relief is provided where there has not been a good faith effort to comply with the reporting requirements, or where there has been a failure to file an information return or furnish a statement by the applicable due date.

Note that due to the extension, a taxpayer may not receive his or her Form 1095-B or 1095-C by the time they file their 2018 tax return. The Notice states, that in such case, the taxpayer may rely on other information received from his or her employer or coverage provider for purposes of filing his or her return.

In addition, the Notice points out that the individual responsibility payment (tax) has been reduced to zero for the months beginning after December 31, 2018. As such, the Treasury and IRS are studying whether and how the reporting requirements should change (if at all) in the future.

Questions? Contact the Findley consultant you normally work with, or *Bruce Davis* at bruce.davis@findley.com, 419.327.4133.