

Minimum Essential Coverage Reporting (§6055) and Shared Responsibility (§6056) Reporting and Disclosure

The Affordable Care Act (ACA) added additional reporting and disclosure requirements. This Compliance Cue Card® provides an overview of the requirements relating to the individual mandate and employer shared responsibility. Refer to regulations¹ for complete information. Refer to ErisaALERT 2013-05 for further information.

The reporting requirements are based on the calendar year regardless of the plan or policy year. The requirements are effective January 1, 2015 with initial reporting and disclosure in 2016. The §6056 regulations provide alternative reporting options that may be of limited use. This Compliance Cue Card® describes the general method.

	§6055 Information Reporting of Minimal Essential Coverage (MEC)	§6056 Information Reporting by Applicable Large Employers (ALE) on Health Insurance Coverage offered under employer sponsored plans.
Purpose	<ul style="list-style-type: none"> To allow taxpayers to establish MEC and the months covered To allow the IRS to verify individual MEC To facilitate compliance with administration of premium tax credit To provide statements with specific information to individuals 	<ul style="list-style-type: none"> To report to IRS compliance with the employer shared responsibility provisions of §4980H To facilitate compliance with administration of premium tax credit To provide statements with specific information to individuals
Who	Any “person” that provides minimal essential coverage. <ul style="list-style-type: none"> Insurance company in the case of insured plans Employer in the case of self-insured plans 	<ul style="list-style-type: none"> Applicable large employers (generally 50 or more full time employees, including full time equivalent employees in the prior year)
What	<i>To the IRS:</i> <ul style="list-style-type: none"> Name, address and EIN of the reporting entity Name, address, TIN (or date of birth if TIN not available) of primary insured Names, dates of coverage and TIN (or date of birth if TIN not available) and months of coverage for each individual covered under the policy or program Other information as the Secretary may provide 	<ul style="list-style-type: none"> ALE Name, date, EIN, name and telephone number of contact Calendar year for which information is being reported A certification as to whether the employer offers to its full time employees (and their dependents) the opportunity to enroll in MEC under an eligible employer sponsored plan, by calendar month If the employer certifies that MEC was offered, the return must include <ul style="list-style-type: none"> months during the calendar year for which MEC under the plan was available

¹ MEC §6055 reporting [final regulations](#); ALE §6056 reporting [final regulations](#)

	<p><i>To the individual:</i> In addition to the above information, the information reported to an individual must include:</p> <ul style="list-style-type: none"> Name, address, EIN of employer sponsoring the Plan Whether the coverage is a Qualified Health Plan enrolled in through SHOP and the SHOP's unique identifier Other information as Secretary may provide 	<ul style="list-style-type: none"> full-time employee's share (self-only) of lowest cost monthly premium for minimum value coverage offered by calendar month The number of full time employees for each month during the calendar year The name, address, TIN of each full time employee during the calendar year and the months, if any, during which the employee were covered Other information as the Secretary may provide
To Whom	<ul style="list-style-type: none"> IRS and A written statement to each individual listed on return 	<ul style="list-style-type: none"> To IRS A written statement to each employee whose name is required to be recorded in the return that shows name, address, phone number of the information contract and the information reported with respect to the individual
How	<ul style="list-style-type: none"> Form 1095-B or another Form designated by the IRS Form 1094-B Transmittal Form 	<ul style="list-style-type: none"> Form 1095-C or another Form designated by the IRS Form 1094-C - Transmittal Form
When	<ul style="list-style-type: none"> January 31 to the individual (i.e. 1/31/17 for 2016) February 28 to IRS if filed on paper March 31 if filed electronically <p>Note: In December 2016, IRS Notice 2016-70 extended the due date for Form 1095-B from January 31, 2017 to March 2, 2017. The due date for the 1094-B transmittal to IRS remains the same February 28, 2017 (March 31 if filing electronically)</p>	<ul style="list-style-type: none"> January 31 to the individual (i.e. 1/31/17 for 2016) February 28 to IRS if filed on paper March 31 if filed electronically <p>Note: In December 2016, IRS Notice 2016-70 extended the due date for 1095-C from January 31, 2016 to March 2, 2017. The due date for the 1094-C transmittal to IRS remains the same February 28, 2017 (March 31 if filing electronically)</p>
Penalties	<ul style="list-style-type: none"> Failure to file correct information return (§6721) \$100 for each return Failure to file correct payee information (§6722) \$100 for each payee <p>Note: Penalties may be waived for reasonable cause</p>	<ul style="list-style-type: none"> Failure to file correct information return (§6721) \$100 for each return Failure to file correct payee information (§6722) \$100 for each payee <p>Note: Penalties may be waived for reasonable cause</p>