

ACA regulations have made it essential for employers to track data from multiple sources, including payroll, HR, and benefit management. In addition, employers must track employee hours to determine full-time eligibility and employer status. All of this data must be gathered and reported to the IRS in forms created specifically for this purpose.

Beginning in 2016, all offers of health care coverage must be reported to the IRS and to employees using the applicable Forms 1094 and 1095. Form 1095 must also be completed for any employee who was full-time for one or more months in the calendar year.

What's the difference between Forms 1094 and 1095? When are the filing deadlines for these forms?

Forms 1094 are summaries and must be mailed to the IRS by February 29, 2016 or by March 31, 2016 if filing electronically. ALE's with 250+ employees must file electronically. The IRS extended the 2015 filing deadlines to May 31, 2016 or June 30, 2016 if filing electronically.

Forms 1095 are individualized employee statements and must be mailed to the IRS by February 29 or by March 31 if filing electronically. Forms 1095 must also be mailed to your employees by January 31, 2016. The IRS extended the 2015 mailing deadlines to employees to March 31, 2016. The IRS filing deadline has been extended to May 31, 2016 or June 30, 2016 if filing electronically.

Is there any way for me to get an extension on these due dates?

There will be no additional extension granted in 2016 for the 2015 reporting requirements. In future years, you will most likely be able to receive an automatic 30 day extension by filing Form 8809 by the due date of the returns.

Will CAPS be filing Forms 1094 and 1095 on our behalf?

As the common law employer, the ultimate responsibility for completing, filing, and furnishing these forms is up to your company. While CAPS will provide you with the data that we have available, we do not have all of the necessary data to complete the forms on your behalf.

How will CAPS be providing us with employee data to complete Forms 1095?

Upon request, CAPS can provide you with an employee summary report for the previous year. It will contain all of the necessary information on an individual employee basis to assist you in completing the reporting requirements.

How do I fill out Form 1095-C if my employees are members of a union?

The most recent instructions on how to complete Form 1095-C specify that your filing requirements can be fulfilled by completing Part I and Part II of this form. In Part II, you would input Code 1H (no offer of coverage) and Code 2E (multiemployer interim rule relief) on lines 14 and 16, respectively. Part III will be completed by the insurance plan. *(At time of publication, the most recent instructions were published on September 16, 2015. You can access these instructions by clicking [here](#).)*

What penalties are being assessed for non-compliance with the new requirements?

As 2016 is the first year that anyone will be filing these forms (for calendar year 2015), the IRS has stressed that it's most important that you file the forms on time and that you make a good faith effort to complete the forms correctly. The penalty for failing to file the informational returns is \$250 per form not to exceed \$3 million.