ACA Reporting for Employers
How to Meet Your Reporting Obligations for 2015

If your organization is subject to the ACA’s employer mandate, your deadlines for reporting offers of health insurance coverage are quickly approaching. Are you ready? There are many caveats and wrinkles related to employer reporting under the ACA, but here’s a quick rundown of the forms you may need to complete (and the forms your insurers will complete), along with information on deadlines and obtaining extensions.

If You Are Fully Insured:
- Prepare a Form 1095-C for each employee who was full-time for at least a month in 2015. Complete Parts I (personal information) and II (offers of coverage), with a copy to the IRS.
- Prepare a Form 1094-C to transmit to the IRS, with copies of your Forms 1095-C.
- Your insurer will send to each employee (whether full-time or otherwise) who was enrolled under coverage for at least a day in 2015 a Form 1095-B showing months of actual coverage supplied to the employee and his or her dependents.

If You Are Self-Insured:
- Prepare a Form 1095-C for each employee who was:
  - Full-time for at least a month in 2015, even if he or she had no coverage (complete Parts I and II).
  - Full-time for at least a month in 2015 and had coverage for at least a day under a self-insured plan you sponsored or in which you participated, such as a plan of an affiliate (complete Parts I, II, and III).
  - Not full-time for at least a month in 2015 but had your self-insured coverage for at least a day (complete Parts I and III and place an abbreviated entry in Part II).
- Prepare a Form 1094-C to transmit to the IRS, with copies of your Forms 1095-C.

If You Have Bargaining Unit Employees Potentially Eligible for Coverage Under a Union-Affiliated Plan to Which You Are Obligated to Make Contributions:
You’ll follow the same instructions noted above for fully insured employers, except that if the union-affiliated plan is self-insured, the plan will send covered employees a Form 1095-B. When you complete Form 1095-C for your full-time bargaining unit employees, there are special codes you’ll use to explain that coverage is provided through the union-affiliated plan.

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1Employers with 50-99 full-time/full-time equivalent employees during 2014 dodged for 2015 the employer mandate’s obligation to offer coverage to full-time employees. However, these employers are nevertheless required to comply with the employer mandate’s reporting obligation. In addition, the reporting obligation applies to any employer that is too small to be subject to the employer mandate (i.e., had fewer than 50 full-time and full-time equivalent employees in 2014) but offers self-insured health coverage. For reporting purposes, such self-insured coverage might include a health reimbursement arrangement that merely supplements the employer’s insured group plan.

2For purposes of this reporting obligation, some employees are not considered “full-time” for one or more months in 2015 even though they might have worked full-time hours for one or more months. These include employees who had not, by the end of 2015, completed certain waiting periods under a health plan. They also include newly hired variable-hour, part-time, or seasonal employees who had not, by the end of 2015, completed their initial measurement and administrative periods.
If You Have Experienced a Merger or Acquisition:
Mergers and acquisitions pose a host of issues under the ACA employer-reporting rules, particularly if you are subject to the employer mandate and acquire a company that is not, or you continue to provide coverage for a while, under a transition services agreement, to employees who go with a buyer. A stock purchaser might need from the seller all hours of service and health insurance coverage data on the acquired employees.

If You Are a Governmental Employer:
Employer reporting under the ACA is generally an EIN-by-EIN affair, but governmental employers have the opportunity to designate a related governmental unit as their filing proxy.

When Are Forms Due?
- Forms are due to your employees by February 1, 2016.
- If you’re submitting paper copies to the IRS, they’re due by February 29, 2016.
- If you’re submitting copies to the IRS electronically, they’re due by March 31, 2016.

NOTE: If you’re submitting copies for 250 or more employees to the IRS, you must submit them online unless you apply for and receive a waiver from the e-filing requirement.

Need an Extension?
If you need more time to submit your forms to the IRS, file a Form 8809 for an automatic 30-day extension. Here are some tips:
- If you need more time after you’ve already filed for a 30-day extension, submit another Form 8809. Check the box on line 5 and add an explanation for the additional extension on line 7. The second extension is not automatic.
- Forms 8809 must be filed before the original deadlines noted above. You cannot request an extension after a deadline has already passed.
- You may file Form 8809 on paper or electronically using the IRS’s FIRE system.
- There is no automatic extension for the February 1, 2016, deadline to provide your forms to employees. The IRS may give you an extension if you apply for it and demonstrate good cause. A model extension request letter is available via our ACA reporting resources web page (see the link below).

LOCKTON CAN HELP.
We’ve assembled a variety of resources to help you navigate the complexities of the new reporting requirements:
- Visit our ACA Reporting-Related Resources web page, on which you’ll find our recent Alerts, blog posts, the IRS’s draft 2015 reporting forms and instructions, previous Lockton webcasts, and other helpful tools.
- Register for Crunch Time: ACA Employer Reporting Update, part three in our complimentary Lockton ACA Reporting Series of webcasts.
- Watch for your copy of an extensive Employer’s Guide to ACA Reporting, which we will publish soon.
- Identify a third-party vendor to handle your reporting on your behalf, or find a software solution that you can easily implement in-house to automate your reporting efforts. Lockton is ready to help you with either of these resources.

Please contact your Lockton Account Team if you have questions about the forms or the instructions, or if you need assistance finding external support.