

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. It is important to note that there are differences in the details of the statute and proposed regulations¹. We have provided highlights of some of the differences.

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.

	§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 to individuals with specific information 	<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 to individuals with specific information
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	For an insurer <ul style="list-style-type: none"> Name, address, TIN of primary insured Names, dates of coverage and TIN of each individual covered under a policy. Note: <i>proposed regulations would require months during which individual had MEC rather than dates of coverage. Other reporting options exist if a TIN is not available.</i> Whether health insurance coverage is a QHP offered through an Exchange. Note: <i>proposed regulations requires reporting of QHP in small group market enrolled through SHOP; not QHP in the individual market enrolled through an Exchange.</i> 	<ul style="list-style-type: none"> Name, date, EIN 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 If the employer certifies that MEC was offered, the return must include <ul style="list-style-type: none"> length of any waiting period months during the calendar year for which coverage under the plan was available monthly premium for the lowest cost option in each of

¹ MEC reporting [proposed regulations](#); ALE reporting [proposed regulations](#)

	<ul style="list-style-type: none"> For a QHP, the amount of any advance payment of the premium tax credit under cost sharing reductions Other information as the Secretary may provide <p>For an Employer's Group Health Plan</p> <ul style="list-style-type: none"> Name, address, EIN of employer maintaining the Plan Whether the coverage is a Qualified Health Plan enrolled in through SHOP Portion of premium, if any, paid by an employer <p>Note: The proposed regulations do not require reporting of the employer's portion of the premium</p> <ul style="list-style-type: none"> Other information as Secretary may provide 	<p>the enrollment categories under the plan</p> <ul style="list-style-type: none"> employer's share of total allowed cost of benefits provided under the plan <p>Note: The proposed regulations do not require reporting of the waiting period, employer's share of premium, monthly premium for lowest cost option in each category but would require reporting of cost of lowest self-only option.</p> <ul style="list-style-type: none"> 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 (and any dependents) were covered <p>Note: The proposed regulations would not require reporting of the months the employees dependents were covered.</p> <ul style="list-style-type: none"> Other information as the Secretary may provide
To Whom	<ul style="list-style-type: none"> IRS and A written statement each individual listed on return that shows name, address and contact phone number of the reporting entity 	<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 - 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. 1/31/16 for 2015) February 28 to IRS if filed on paper March 31 if filed electronically 	<ul style="list-style-type: none"> January 31 to the individual (i.e. 1/31/16 for 2015) February 28 to IRS if filed on paper March 31 if filed electronically
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>