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AFFORDABLE CARE ACT REPORTING DELAYED

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By Adrienne Maxwell and Kristy Buckley

Reporting is Delayed for ACA Coverage Disclosure

The IRS released [Notice 2016-70](#) this week, extending the due date for employers, insurers, and other providers of minimum essential coverage to furnish covered individuals with Forms 1095-B and 1095-C from **January 31, 2017** to **March 2, 2017**. Form 1095-C is the information return that applicable large employers (with 50 or more full-time employees) must provide to covered employees for purposes of reporting minimum essential coverage offered to employees. Form 1095-B is a similar information return that small employers (fewer than 50 full-time employees) with self-funded group health plans provide to covered employees coverage offered to employees. The deadline for filing the statements with the IRS (along with Forms 1094-C and 1094-B transmittal forms) remains March 31, 2017 for electronic filings and February 28, 2017 for paper filings. The IRS Notice also extended some transition relief from penalties for incorrect or incomplete information for reporting entities that make good-faith efforts to comply with information-reporting requirements.

Similarly to the delayed reporting that occurred last year, some taxpayers may not receive a Form 1095 before filing their 2016 personal federal income tax returns. Those taxpayers should retain a copy of the 1095 that is eventually received in their records.

Affordable Care Act: Watching and Waiting

As expected, there has been a flurry of activity on employee benefit newsfeeds and among accounting firms immediately after the U.S. Presidential elections. The vast majority of the newsfeed content to date has been largely speculative. Our firm's employee benefits team is watching all developments

carefully to see what President-Elect Trump and his team will decide to do. Currently the only confirmed legal change is our delayed reporting for ACA coverage. We are not prepared to provide any speculative predictions about anticipated changes in the laws, but will certainly provide you with Newsletters for any legal changes that occur.

For More Information

Contact Kristy Buckley at 406-522-4522 or kbuckley@crowleyfleck.com if you would like more information.

If you require assistance with a particular employee benefit matter, or have questions or comments regarding this newsletter, please contact one of the attorneys listed below.

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