

November 2016

## *IRS Extends Deadline to Issue Forms 1095 AND Extends Good Faith Effort Standards*

On November 18, 2016 the Internal Revenue Service (“IRS”) issued [Notice 2016-70](#) that extends the deadline from **January 31, 2017 to March 2, 2017** for issuers and Applicable Large Employers (“ALE”) to issue Affordable Care Act (“ACA”) Forms 1095-B and/or Form 1095-C to individuals. In addition, the IRS will not impose penalties when a “good faith effort” has been made to accurately and timely issue and file these statements.

A few key points of interest:

- The IRS will not grant an additional 30-day extension to issue the statements to individuals as the IRS is automatically extending the deadline by 30 days. The IRS will not respond to any 30-day extension requests that may have already been submitted.
- This Notice does not extend the deadline to file these information returns with the IRS and therefore, Forms 1095-B and/or Forms 1095-C along with transmittal Forms 1094 should be furnished to the IRS by February 28, 2017 (paper filers) and March 31, 2017 (electronic filers), unless an extension to file the forms with the IRS is submitted.
- ALE member companies that file 250 or more Forms 1095 must file electronically unless a waiver is granted by the IRS.
- The IRS is extending transition relief from penalties when a good faith effort to comply with the reporting requirements under sections 6055 (MEC) and 6056 (ALE employer mandate) for 2016 (both for furnishing to individuals and for filing with the IRS) for incorrect or incomplete information reported on the return or statement.
- Taxpayers may file their 2016 tax return prior to receipt of Form 1095-B or Form 1095-C to confirm satisfaction of the Minimum Essential Coverage requirement.

More information about the ACA reporting requirements may be found in our [October 2016 UPDATE](#).

### **ADDITIONAL INFORMATION**

Information contained in this UPDATE is not intended to render tax or legal advice. Employers should consult with qualified legal and/or tax counsel for guidance with respect to matters of law, tax and related regulation. Cherry Bekaert Benefits Consulting, LLC provides comprehensive consulting and administrative services with respect to all forms of employee benefits, risk management, qualified and non-qualified retirement plans, private client services, transaction services, and compensation and human resources.

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