



## Electronic Filing Requirements for all 1094/1095 B Forms with Greater than 10 Tax Returns

*The following is intended for informational purposes only and is not legal or tax advice. If you have questions, please call us and/or your legal or tax professional. All carrier information contained herein is subject to change.*

The Affordable Care Act (ACA) created reporting requirements under Internal Revenue Code Sections 6055 and 6056. Under these rules, certain employers must provide information to the IRS about the health plan coverage they offer (or do not offer) to their employees. Any reporting entity required to file at least 250 individual statements under Sections 6055 or 6056 must file electronically.

**Beginning in 2024, employers that file at least 10 returns during the calendar year must file electronically.** Due to the lowered threshold, only the smallest employers can file using paper returns. Reporting entities must aggregate most information returns, such as Forms W-2 and 1099, to determine if they meet the 10-return threshold for mandatory electronic filing.

The 1095-B forms must be provided to covered individuals by **March 1, 2024**. The due date for filing the forms electronically is **April 1, 2024**.

### ***State Reporting Requirements***

Individuals are no longer subject to a federal IRS penalty if they do not comply with the ACA federal individual mandate coverage. Some states (Washington, D.C., California, New Jersey, Rhode Island, Massachusetts, and Vermont) have implemented their own individual mandate requirement. These states may have both federal and state tax requirements. Please check with your payroll provider or CPA if you need to file in those states.

Each carrier or third-party administrator provides the information to assist employers with self-funded plans to gather the information necessary for the 1095-B forms. This information may be subject to change. See below for more information regarding how specific carriers are complying with this requirement.

### **Aetna**

For tax year 2023, Aetna will continue to create and file 1095-B forms for all AFA Plan Sponsors who are under 50 lives and have not opted out.

- Members who wish to view a copy of their 1095-B form may log into the member website and locate the form under the Letters and Communications tab – then “Message Center.”
  - They will be able to view their form after February 2024.
    - This is well in advance of the IRS deadline of March 2024
  - The Aetna Health mobile app does not have a copy of the 1095B form, they will need to access their computer to pull the PDF version.
  - Aetna discontinued mailing individual forms in 2019.
  - Members enrolled in the Aetna plans will receive the forms. If there are employees who waived coverage, those employees will not be provided a 1095-B form
- Any member who was covered on an AFA plan for as little as one day in 2023 will receive a 1095-B form.

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For specific questions related to your situation, please contact your attorney or tax specialist.*



- Keep in mind this only applies to cases that are 2-50 AFA.
- Form 1094-B is a transmittal sheet (cover sheet) filed with the IRS along with the Forms 1095-B.
  - Because Aetna is filing the 1095-B forms on behalf of AFA plan sponsors, it will also file the Form 1094-B transmittal sheet.
  - The Plan Sponsor does not have to file Form 1094-B.
- Plan Sponsors will **not** receive copies of the 1095B forms; however, in the event of an IRS audit, the group may call Aetna.
  - Aetna we can provide a report with a member listing for all forms that were created and filed on their behalf.
- Aetna will prepare and file the 1095B tax forms on behalf of the plan sponsor and are dependent on them to maintain accurate information on file with Aetna.
  - If Aetna files on behalf of the group and their forms are rejected, Aetna will work to obtain the correct information and resubmit for them.
    - If the Plan Sponsor is rejected a 2<sup>nd</sup> time, the Plan Sponsor will need to work with the IRS directly.
- Aetna does not provide the Plan Sponsor any forms or files related to this filing.
  - The forms are loaded into the member website for accessibility, but Aetna does not provide the group copies.

#### Allstate

Allstate sent a communication on January 15, 2024, with a link to sign up for an ACA Reporting webinar on January 23, 2024, at 1:00 PM or January 25 at 11:00 AM.

Allstate provides access to CXC Solutions to assist with 1094 and 1095 filing for a fee. Please check with your Allstate representative for additional questions. <https://www.cxcsolutions.com/allstatebenefits/>

#### Anthem

Anthem relies on the information provided by the plan sponsor, broker, and members to complete these forms. Populating the information on the 1095-B form is a service for small groups. The form and its contents remain the responsibility of the plan sponsor. When using forms populated by Anthem, plan sponsors acknowledge and agree that any IRS risk or issue will be the sole responsibility of the plan sponsor. The 1095-B forms are housed in Employer Access.

#### Optima

Optima supplies a comma-delimited text file format that can easily be imported into Excel, Access, SQL, or various other tools. The final file will be available in January of 2024, once the information for the entire year is finalized.

#### Cigna

For self-insured plans, the client can obtain the necessary information for completing forms from their applicable employer portal. They can use a report called the *Eligibility Report* and click on the bottom of the page to add subscribers' mailing addresses. If a client does not have access to this report, they can use the Comparative Research Assessment Report. It will have most of the information they will need. This report is available to all Cigna clients in their portal under reporting/ *Government and Comparative Research Assessment report*.

Cigna has extensive resources that can aid employers. Employers can access the ASO PPACA Fees and Reporting Resources team through a dedicated phone line, 1-(855)275-0555 9:00 to 6:30 EST Monday through Friday, or email, [ASO\\_PPACA\\_Fees&Reporting@Cigna.com](mailto:ASO_PPACA_Fees&Reporting@Cigna.com).

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### UnitedHealthcare

In support of UHC's Level Funded/All Savers customers, UnitedHealthcare prepares the 1095-B forms but does not send them to members. The employer must access the site to produce and send to their subscribers and the IRS.

Note: ASO customers may request a custom eligibility report to include month-by-month coverage that is available for a fee.

### ***E-File Vendors Available to Employers***

In addition to your tax preparer, there are a number of companies that can help you determine which forms are applicable to your group and where they need to be submitted. These companies can assist in furnishing the 1095-B form to your employees and/or filing with the IRS.

Please note that Towne Benefits is neither partnered with nor affiliated with any of these companies. We are providing this information solely as a courtesy.

- **Yearli** - [Click here.](#)
- **HR Service, Inc.** - [Click here.](#)
- **Eligibility Tracking Calculators** - [Click here.](#)

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