

HEALTH PLAN ACA REPORTING REQUIREMENTS

FACT
SHEET



IMPORTANT POINTS TO CONSIDER

This fact sheet provides an overview of certain employer reporting requirements under the Affordable Care Act (ACA). **It is specifically designed to assist employers with employees participating in GuideStone's self-funded group health plans, including Group Plans and Personal Plans.** The information below is based on the nature of the GuideStone® plan as a multiple employer, self-insured church health plan. These comments are not intended to address situations in which employers have employees with health coverage outside GuideStone.

OVERVIEW OF EMPLOYER HEALTH COVERAGE REPORTING REQUIREMENTS

There are two sections of the *Internal Revenue Code* detailing these health plan reporting requirements under the ACA:

Section 6055 reporting is required to prove minimum essential coverage (MEC) for all persons in a health plan. This reporting will be used to meet the individual mandate requirement. GuideStone, as the entity that established and maintains the health plan as plan sponsor, will prepare and make available *Form 1095-B* to all employees. GuideStone will also file the *1094-B* to transmit the forms to the IRS. Finally, GuideStone will provide a summary to employers.

Section 6056 reporting is required of all applicable large employers (ALEs), those with 50 or more full-time equivalent employees (FTEs). ALEs are required to file *Forms 1094-C* and *1095-C*. GuideStone does not have the information necessary to complete these forms, such as affordability and whether any safe harbor may apply to the employer. Additionally, the ALE is liable for significant penalties should the forms not be completed accurately and in a timely manner. As a result, GuideStone will not prepare these employer responsibility forms.

GuideStone will file the following forms for all individuals enrolled in GuideStone plans, regardless of employer size:

- *Form 1094-B* (transmittal form to IRS)
- *Form 1095-B* (one for each employee, with a copy sent to the IRS)

ALEs with at least 50 or more FTEs will file:

- *Form 1094-C* (transmittal form to IRS)
- *Form 1095-C* (one for each employee, with a copy sent to the IRS)

The forms and instructions for this reporting can be found on the IRS website, [IRS.gov](https://www.irs.gov).

Continued on next page »

TAXPAYER IDENTIFICATION NUMBERS (TINs)

Employers will need to obtain valid Taxpayer Identification Numbers (TINs) of all individuals covered under the employer-sponsored, self-insured health plan. The IRS is waiving penalties for failure to report the TIN if the employer makes reasonable efforts to obtain the TIN. For purposes of the penalty waiver, the IRS states that an employer is considered to have acted responsibly if, after an initial, unsuccessful request for a TIN (for example, at the time of enrollment), the entity makes two additional TIN solicitations. There are additional rules related to the TIN solicitation. The employer can instead report a birth date if efforts outlined above fail to obtain the TIN.

FILING DATES

GuideStone will file Forms 1095-B and 1094-B by the applicable filing dates:

- Form 1095-B provided to employees by March 2 (March 1 if leap year) of the year following the year to which the return relates. Form 1095-B will be made available electronically unless a paper copy is requested by an employee.
- Form 1094-B to the IRS by February 28, 2024, or March 31, 2024, if filing electronically.

ALEs will file Forms 1095-C and 1094-C by the applicable filing dates:

- Form 1095-C to employees by March 2 (March 1 if leap year) of the year following the year to which the return relates.
- Form 1094-C must be to the IRS by February 28, 2024, or March 31, 2024, if filing electronically.

Employers may provide employee reports electronically only if employees have consented to receive them electronically in accordance with IRS rules. The consent must be specific to the information reporting under Sections 6055 and 6056 and cannot be linked to the consent an employee may have provided for purposes of the *Summary of Benefits and Coverage*. Employers need to retain consent records.

PENALTIES

The IRS imposes penalties for non-compliance with reporting requirements. Failure to file a correct information return with the IRS or provide a correct payee statement to an employee may result in a penalty of \$310 for each return, with a total penalty amount not to exceed \$3,783,000 for a calendar year.

EMPLOYERS WITH 50 OR MORE EMPLOYEES

ALEs are required to report whether they have made offers of health coverage and/or enrollment in health coverage for their employees and then prepare one *Form 1095-C* for each of the following:

- Full-time employees with coverage
- Full-time employees without coverage
- Part-time employees with coverage

Note: Part-time employees without coverage are not reported.

Form 1095-C is prepared for each employee who was employed for any month of the calendar year (regardless of whether the employee was covered under the employer's health plan). Employers should carefully read the instructions accompanying the IRS forms for accurate completion.

Employers must determine whether their organization is part of a controlled group (a group of employers with common ownership or control). In any event, each common law employer does their respective reporting. Please refer to GuideStone's *Controlled Group Fact Sheet* for further information.

COMPLETING FORM 1095-C

Employers will need to maintain the following information for completing *Form 1095-C* reporting:

Part I

- 1 Employee's name, address and SSN
- 2 Employer's name, address and Employer Identification Number (EIN)
- 3 Name and telephone number of a contact person

Part II

Line 14 – Enter applicable code to describe the employer's offer of coverage.

You will need to know:

- 1 To whom is the coverage offered? For instance, employee only? Spouse? Children?
- 2 Does the coverage meet minimum value requirements? Review the minimum value requirements here: [IRS.gov/affordable-care-act/employers/minimum-value-and-affordability](https://www.irs.gov/affordable-care-act/employers/minimum-value-and-affordability)
- 3 Does the coverage meet affordability requirements?

Note: For plan years beginning 2024 “affordable” coverage is self-only coverage equal to or less than 8.39% of the 48 contiguous states’ single federal poverty level.¹

Line 15 – Complete this line only if Line 14 reflects Code 1B, 1C, 1D, 1E, 1J or 1K. See IRS instructions for details.

Line 16 – For each calendar month, enter the applicable code, if any, from Code Series 2, page 12 of [IRS.gov/pub/irs-pdf/i109495c.pdf](https://www.irs.gov/pub/irs-pdf/i109495c.pdf).

Part III

An employer may choose whether to complete Part III of Form 1095-C, which contains the same information that GuideStone will report to the IRS on Form 1095-B. For purposes of Section 6056 reporting, GuideStone-participating employers will consider themselves to be covered by a fully insured medical plan. Coverage by a fully insured plan exempts the employer from obligation to complete Part III of 1095-C.

Part III requests the names of individuals covered under the employer-sponsored coverage, by month. Individuals include the employees and their dependents.

TRANSMITTING THE FORMS

ALEs also will need to complete Form 1094-C to transmit copies of Form 1095-C to the IRS.

Form 1094-C asks for additional employer information, including whether the employer is a member of an aggregated ALE group (refer to Controlled Group Fact Sheet discussed above).

See [IRS.gov/pub/irs-pdf/i109495c.pdf](https://www.irs.gov/pub/irs-pdf/i109495c.pdf) for full instructions.

¹Source: [IRS.gov/pub/irs-drop/rp-18-34.pdf](https://www.irs.gov/pub/irs-drop/rp-18-34.pdf)

ACA REPORTING REFERENCE CHART

Forms	Sending Entity	End Recipient	Report Details
1095-B Health Coverage	GuideStone	Members	This form reports to responsible individuals (participants) the months for which they and their dependents were enrolled in MEC at GuideStone during the reporting period. Members and dependents will be identified by SSN or DOB and name. These forms assist members with their tax reporting. Copies of these will accompany <i>Form 1094-B</i> to the IRS.
1094-B Transmittal of Health Coverage Information Returns	GuideStone	IRS	This form is used to transmit to the IRS copies of <i>1095-Bs</i> and reports the total number of <i>1095-Bs</i> included in the batch.
1095-C Employer-Provided Health Insurance Offer and Coverage	ALE	Employees of ALEs	This form reports to an ALE's employees offers of coverage made by the employer and the employee's share of the lowest-cost monthly premium for self-only minimum value coverage. It will include the employer's contact information and EIN. This form assists participants with their tax reporting. Copies of these will accompany <i>Form 1094-C</i> to the IRS.
1094-C Transmittal of Employer-Provided Health Insurance Offer and Coverage Information Returns	ALE	IRS	This form is used to transmit to the IRS copies of <i>1095-Cs</i> and reports the total number of <i>1095-Cs</i> included in the batch.
ACA Covered Persons Report	GuideStone	IRS	This summary information, found in Employer Access [®] Program (EAP), will provide employers a list of the months of coverage for employees and dependents enrolled in a MEC plan at GuideStone during the reporting period. This summary is for informational purposes only but may be useful to ALEs fulfilling their reporting responsibilities.

SUMMARY

As a reminder, it will be important for employers to obtain competent tax and legal advice regarding completion of these forms as GuideStone cannot provide specific advice regarding the employer's operation.

GuideStone is not authorized to provide legal or tax advice. We always encourage employers to consult with their own advisors with respect to their specific facts and circumstances.



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GuideStone welcomes the opportunity to share this general information. However, this information is not intended to be relied upon as legal advice. This information may be subject to interpretation or clarification over time, so we cannot guarantee its long-term accuracy or how it might be determined to apply in certain situations. However, we hope it will provide you a useful frame of reference as you endeavor to carry out your responsibilities and serve your employees.