

LEGAL UPDATE

Draft Forms for 2022 ACA Reporting Released

The Internal Revenue Service (IRS) released draft 2022 forms for reporting under Internal Revenue Code (Code) Sections 6055 and 6056. Draft instructions for these forms have not yet been released.

- **2022 draft Forms [1094-B](#) and [1095-B](#)** are draft versions of forms that will be used by providers of minimum essential coverage (MEC), including self-insured plan sponsors that are not applicable large employers (ALEs), to report under Section 6055.
- **2022 draft Forms [1094-C](#) and [1095-C](#)** are draft versions of forms that ALEs will use to report under Section 6056 as well as for combined Section 6055 and 6056 reporting by ALEs who sponsor self-insured plans.

Form 1095-B no longer includes references to the individual mandate penalty in the “Instructions for Recipients” section. No other substantive changes were made to the draft forms for 2022 reporting. However, certain changes may be made once these forms are finalized or when draft or final instructions are released.

Furnishing Deadline Extension

A [proposed rule](#) issued in late 2021 extended the annual furnishing deadlines under both Sections 6055 and 6056 for an additional 30 days. This rule is in proposed form and has not been finalized. **However, reporting entities may rely on the proposed rule even before it is finalized.** Reporting entities are encouraged to furnish statements to individuals as soon as they are able.

Action Steps

Employers should become familiar with these forms for 2022 calendar year reporting. However, these are **draft versions only** and should not be filed with the IRS or relied upon for filing. Employers should monitor future developments for the release of 2022 draft instructions for these forms.

Important Dates

March 2, 2023

Due to a proposed rule permanently extending the furnishing deadline, individual statements for 2022 must be furnished by March 2, 2023.

Feb. 28, 2023

Paper IRS returns for 2022 must be filed by Feb. 28, 2023.

March 31, 2023

Electronic IRS returns for 2022 must be filed by March 31, 2023.

No major substantive changes were made to the draft forms for 2022 reporting.

Provided to you by **Towne Benefits**

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