

LEGAL UPDATE

Final Forms for 2022 ACA Reporting Released

The IRS released the final 2022 forms for reporting under Internal Revenue Code (Code) Sections 6055 and 6056.

- **2022 Forms [1094-B](#) and [1095-B](#)** are the 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 Forms [1094-C](#) and [1095-C](#)** are the forms that will be used by ALEs to report under Section 6056, as well as for combined Section 6055 and 6056 reporting by ALEs who sponsor self-insured plans.

The IRS revised Form 1095-B to remove references to the individual mandate penalty in the “Instructions for Recipients” section. No other substantive changes were made to the final forms for 2022 reporting. Final instructions have not been released yet. However, draft instructions (for [Forms 1094-B and 1095-B](#), as well as for [Forms 1094-C and 1095-C](#)) are available, which include updated penalty maximums for 2022.

Furnishing Deadline Extension

A [proposed rule](#) issued in late 2021 extended the annual furnishing deadlines under Sections 6055 and 6056 for an additional 30 days. Reporting entities may rely on this proposed rule even though it has not been finalized. Due to this extension, individual statements for 2022 must be furnished by March 2, 2023. 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 reporting for the 2022 calendar year. Note that additional information regarding these forms may become available once final instructions are released.

Provided to you by **Towne Benefits**

Important Dates

Feb. 28, 2023

Paper IRS returns for 2022 must be filed by this date.

March 2, 2023

Individual statements for 2022 must be furnished by this date.

March 31, 2023

Electronic IRS returns for 2022 must be filed by this date.

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