

Good News on Health Coverage Reporting for 2018 Coverage

11.29.18

Normally, the deadline for reporting health care coverage by a self-insured medical plan or an insured plan follow rapidly after year end. In an early holiday gift, the Internal Revenue Service (the "Service") provided an extension on the deadline for an employer providing employees with copies of the Form 1095-C or the insurer providing Form 1095-B to the insureds for health plan coverage during 2018. The deadline for providing such forms to employees is extended from January 31, 2018 to March 4, 2019, but there are no further extensions available beyond the March 4, 2019 deadline. Providing the Forms 1095-C and 1095-B to employees is only one piece of the reporting obligation and employers did NOT receive any extension on the deadlines by which they must file the Forms 1094-B, 1094-C, 1095-B or 1095-C with the Service. The deadline to file such reports with the Service for 2018 remains at February 28, 2019 for paper filers and April 1, 2019 for electronic filers. Employers may still apply for an automatic extension of the deadline for filing such Forms with the Service using a Form 8809, but this only may extend the deadline for filing the forms with the Service. The Service in the past recognized good faith compliance with the reporting requirements as a defense to the penalties for failing to fully comply with the reporting requirements due to missing or incorrect information and this will continue to apply for 2018; however there was a reminder that good faith compliance will not protect a failure to file.

While some employees may be ready to file their federal income tax returns before they receive their Form 1095-C or 1095-B, the Service indicated that they may file their income tax returns without the forms reporting on health coverage during 2018. Because the individual mandate penalty will not apply in 2019, the Service is looking at the reporting requirements.

Contacts:

[Greta Cowart](#)

214.745.5275

gcowart@winstead.com

[Marsha Clarke](#) (Admitted in MO and IL)

214.745.5877

mclarke@winstead.com

[Nancy Furney](#)

214.745.5228

nfurney@winstead.com

[Lori Oliphant](#)

214.745.5643

loliphant@winstead.com

Disclaimer: Content contained within this news alert provides information on general legal issues and is not intended to provide advice on any specific legal matter or factual situation. This information is not intended to create, and receipt of it does not constitute, a lawyer-client relationship. Readers should not act upon this information without seeking professional counsel.