Employer Guide to ACA Information Reporting Forms

(1094-B/1095-B and 1094-C/1095-C)

WHAT THESE FORMS ARE

Under the Affordable Care Act (ACA), employers and coverage providers must report health coverage information to:

- The IRS, and
- Covered individuals (employees and other covered persons)

There are two types of forms, with variations for employer size as explained below:

- 1094 forms = IRS transmittal forms
- 1095 forms = individual statements

WHICH EMPLOYERS MUST FILE WHICH FORMS

Applicable Large Employers (ALE)

An ALE is an employer who employed an average of 50 or more full-time employees, plus full-time equivalent employees (FTEs), in the prior calendar year. For example, if the employer had 55 full-time plus FTEs in 2025, the employer is an ALE for calendar year 2026, with reporting for the 2026 year in early 2027.

ALE filing obligations:

- Form 1094-C – Transmittal filed with the IRS
- Form 1095-C – Individual coverage offer statement, with a copy of each form filed with the IRS

These forms must be filed by ALEs with:

- Fully insured plans
- Self-insured or level-funded plans
- ICHRAs

Small Employers with Self-insured Plans (Non ALEs)

Employers with fewer than 50 employees that sponsor a Self-insured or level-funded plan must file:

- Form 1094-B – Transmittal
- Form 1095-B – Individual minimum essential coverage statement, with a copy of each form filed with the IRS

IRS FILING REQUIREMENTS

For the 2026 coverage year (filed in 2027):

- Electronic IRS filing deadline: March 31, 2027
- Electronic filing is required for most employers

These forms are used by the IRS to:

- Enforce Employer Shared Responsibility penalties
- Confirm offers of coverage and compliance with minimum essential coverage requirements

DISTRIBUTION RULES – PAPERWORK BURDEN REDUCTION ACT OF 2025

Prior to January 1, 2025, employers were required to distribute the copies of the 1095 forms to their employees. Employers are no longer required to automatically mail Forms 1095-B or 1095-C to individuals if specific notice requirements are met.

This relief was enacted in December 2024 and clarified in IRS Notice 25-15.

Alternative Furnishing Method (Optional)

Instead of automatic distribution, employers may:

- Post a clear, conspicuous, and accessible notice by the distribution deadline for mailing
- Inform individuals they may request a copy of their Form 1095
- Provide the form within 30 days of a request (or by January 31, if later)

The notice must:

- Be in plain language
- Identify the documents as important tax information
- Include an email address, mailing address, and phone number to contact
- Be posted on a public-facing or benefits website
- Remain available through October 15 of the following year

Timing Example (2026 Coverage Year)

- Notice posting deadline (with automatic extension): March 1, 2027
- If requested, Form 1095 must be provided:
  - By January 31, 2027, or
  - 30 days after the request, whichever is later

IMPORTANT NOTES

- Employers may continue automatic distribution if preferred
- Electronic delivery still requires employee consent, under Department of Labor rules
- Forms must still be created and filed with the IRS regardless of distribution method

TABLE OF REQUIRED IRS FILINGS

Employer Type	IRS Forms Filed	Distribution Requirement
ALE (any plan type)	1094-C + 1095-C	Automatic OR notice and request option
Non ALE, Self-insured (level-funded)	1094-B + 1095-B	Automatic OR notice and request option
Fully insured, non ALE	None (carrier files)	Carrier handles

IMPORTANT INFORMATION REGARDING STATES WITH INDIVIDUAL MANDATES

If an employer has employees in CA, DC, MA, NJ, RI, or VT, additional filings are required by each state. Employers must electronically file the appropriate forms with each state. The federal law described above regarding optional distribution notices does not apply to state distribution requirements. Employers must still distribute the 1095 forms, or applicable state-required forms, to employees.

State	Filing Deadline	Distribution Deadline
CA	March 31, 2027	February 1, 2027
DC	April 30, 2027	March 1, 2027
MA	March 31, 2027	February 1, 2027
NJ	March 31, 2027	March 1, 2027
RI	March 31, 2027	March 1, 2027
VT	Does not require separate state-level filing	Does not require separate state-level filing

COMPLIANCE REMINDER

Failure to file with the IRS or to timely furnish upon request may trigger ACA reporting penalties, which are assessed per form for non-filing and each form for non-distribution. Good faith relief generally does not apply when forms are missing or late.

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