



# TaxNewsFlash

## United States

No. 2016-509  
November 18, 2016

### **Notice 2016-70: Extension of information reporting concerning ACA health insurance coverage**

The IRS today released an advance version of Notice 2016-70 that extends the due date for information reporting requirements for 2016 under the Affordable Care Act (ACA) with respect to:

- Insurers, self-insuring employers, and certain other providers of minimum essential coverage
- Applicable large employers required to file and furnish annual information returns and statements relating to the health insurance, if any, that the employer offers to its full-time employees

**[Notice 2016-70](#)** [PDF 30 KB] extends the due date—from January 31, 2017, to March 2, 2017—for furnishing to individuals, for 2016, Form 1095-B, *Health Coverage*, and the Form 1095-C, *Employer-Provided Health Insurance Offer and Coverage*.

#### **Summary**

According to today's notice, the IRS and Treasury determined that a substantial number of employers, insurers, and other providers of minimum essential coverage need additional time beyond the January 31, 2017 due date to gather and analyze the information and prepare the Forms 1095-B and 1095-C for 2016, to be furnished to individuals. Accordingly, this notice extends by 30 days the due date for furnishing the 2016 Form 1095-B and the 2016 Form 1095-C, from January 31, 2017, to March 2, 2017.

However, there is no similar extension of time for employers, insurers, and other providers of minimum essential coverage to file the IRS with Forms 1094-B, 1095-B, 1094-C, and 1095-C for 2016. That filing date remains February 28, 2017 (if not filing electronically) or March 31, 2017 (if filing electronically).

Today's notice also extends good faith transition relief from section 6721 and 6722 penalties to the 2016 information reporting requirements under sections 6055 and 6056. Specifically, this notice extends transition relief from penalties under sections 6721 and 6722 to reporting entities that can show that they have made good faith efforts to comply with the information reporting requirements under sections 6055 and 6056 for 2016 (both for furnishing to individuals and for filing with the IRS) for incorrect or incomplete information reported on the return or statement. Notice 2016-70 states that this relief applies to missing and inaccurate taxpayer identification numbers and dates of birth, as well as other information required on the return or statement. No relief is provided in the case of reporting entities that do not make a good-faith effort to comply with the regulations or that fail to file an information return or furnish a statement by the due dates (as extended).

The IRS subsequently issued a [release](#) [PDF 75 KB] that provides this information in table format.

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