

## UPDATED INFORMATION ON ACA EMPLOYER REPORTING REQUIREMENTS

### Employers Contributing to the Directors Guild of America-Producer Health Plan:

This notice gives important updated information about annual employer reporting requirements imposed by the Affordable Care Act. As you know, large employers are required by Internal Revenue Code Section 6056 to complete IRS Forms 1094-C and 1095-C to report information on 2020 coverage necessary for enforcement of the ACA's employer mandate. The Directors Guild of America-Producer Health Plan (the "Plan") will not handle the filing or furnishing of any forms under Section 6056 on behalf of any contributing employer; each employer is responsible for compliance with these requirements with regard to its employees.

### 2020 Instructions & Good Faith Compliance Standard

The Forms include special directions for employers that contribute to multiemployer plans, such as the DGA-Producer Health Plan, and eliminate the need for employers to obtain any specific information about your employee's eligibility or enrollment in the Plan. The IRS permits employers who are relying on the multiemployer interim rule relief for an employee to use code 1H on line 14 and code 2E on line 16 on the Form 1095-C for each month that the employer was required to contribute to a multiemployer plan on behalf of the employee.

The bulleted information below should assist employers in confirming their entitlement to multiemployer interim guidance. The Plan:

- Offers minimum value coverage;
- Offers coverage to dependent children through the end of the month in which he/she turns age 26; and
- Imposes no premium on employee-only coverage and is affordable.

### Questions

For more specific information on the reporting, please review the final 2020 Forms 1094-C and 1095-C, along with the IRS instructions for those Forms, with your attorneys and advisors. You may obtain copies of the Forms and instructions on [www.irs.gov](http://www.irs.gov). This notice is not intended to offer advice on the employer mandate or the reporting requirements under ACA, and the Plan is not responsible for providing any such advice. The Plan also is not responsible for any penalties that may be assessed for reporting or furnishing statements under Section 6056.

If you have further questions about Plan benefits, please contact [ACAquestions@dgaplans.org](mailto:ACAquestions@dgaplans.org).

## **FAQs for Reporting Requirements under the Affordable Care Act (ACA) - IRS Forms 1094-C and 1095-C**

1. Will the Plan prepare IRS Forms 1094-C and 1095-C to report offers of coverage to contributing employers' employees?

Response: No. The Plan will not handle the filing of Forms 1094-C and 1095-C. Completion and submission of IRS Forms 1094-C and 1095-C are the employer's responsibility.

2. Will the Plan provide the information necessary to assist employers with the preparation of IRS Forms 1094-C and 1095-C?

Response: Yes, the notice is intended to provide employers with information needed to prepare Forms 1094-C and 1095-C. Based upon recent guidance issued by the IRS, for those employees for whom the multiemployer plan transition rule applies, employers will not need participant-specific information. Employers will, however, need the general information provided in the following Q&As.

3. For the 2020 plan year, will the Plan offer all active eligible employees medical plan coverage that is "affordable" as defined in the ACA?

Response: Yes.

4. Does the Plan provide "minimum essential coverage," as defined in the ACA?

Response: Yes.

5. Does Plan coverage provide "minimum value," as defined in the ACA?

Response: Yes, at this time, all medical plan options under the Plan meet or exceed the 60 percent minimum value standard.

6. Does the Plan extend coverage to eligible participants' children through the end of the month in which the child turns age 26?

Response: Yes.

7. Is the Plan a calendar year plan?

Response: Yes.

8. What information will the Plan provide to participants?

Response: Consistent with Section 6055 of the Internal Revenue Code, the Plan will provide Form 1095-B to all individuals enrolled under the Plan. The Plan will also file Forms 1094-B and 1095-B with the IRS with respect to Plan coverage.

***For more specific information on employer reporting requirements, please review IRS Forms 1094-C and 1095-C (along with their instructions) with your attorneys and advisors. You may obtain copies of the forms and instructions at [www.irs.gov](http://www.irs.gov).***

***The information provided here is not intended as legal or tax advice regarding the employer mandate or the reporting requirements under the ACA, and the Plan is not responsible for providing any such advice. The Plan also is not responsible for any penalties that may be assessed in connection with the reporting requirements under Internal Revenue Code Section 6056. The information contained herein is believed to be correct under current guidance; however, the accuracy of the information may be affected by subsequent developments.***

***If you have further questions about Plan benefits, please contact [ACAquestions@dgaplans.org](mailto:ACAquestions@dgaplans.org).***