

November 19, 2019

IRS Releases Draft 2019 Instructions for Forms 1094/1095

After a lengthy and unexplained delay, the Internal Revenue Service released drafts of the 2019 Forms [1094-C](#), [1095-C](#) and their [corresponding instructions](#) on November 13, 2019. The forms and reporting obligations are basically unchanged from 2018. There had been speculation that reporting might be streamlined due to the repeal of the individual mandate, but that is not the case.

Minor Changes Only

- All references to the individual mandate were removed, although the reporting requirements tied to the individual mandate remain. These are Form 1095-B and Form 1095-C, Part III.
- Amounts that are annually indexed were adjusted:
 - Penalty amount for failing to file or furnish a correct information return cannot exceed \$3,339,000 each in a calendar year.
 - Affordability percentage updated to 9.86%.
- Due dates for forms:
 - Employers must provide Forms 1095-C to full-time employees (and other employees enrolled in self-insured health coverage) by **January 31, 2020**. The IRS historically extends this deadline to early March, but this hasn't occurred yet.
 - Employers filing less than 250 returns may file paper returns with the IRS by **February 28, 2020**.
 - Employers filing electronically must file with the IRS by **March 31, 2020**. An employer who files 250 or more returns must file electronically.

The IRS simultaneously released the drafts for the 2019 Forms [1094-B](#), [1095-B](#) and their [corresponding instructions](#). No major changes were made to the B Forms.



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