

Presented by  
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# FORM 990 CHANGES

**SCHEDULE A**  
**(Form 990 or 990-EZ)**

Department of the Treasury  
Internal Revenue Service

**Public Charity Status and Public Support**

Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.

▶ Attach to Form 990 or Form 990-EZ.

▶ Information about Schedule A (Form 990 or 990-EZ) and its instructions is at [www.irs.gov/form990](http://www.irs.gov/form990).

OMB No. 1545-0047

**2014**

**Open to Public  
Inspection**

Name of the organization

Employer identification number

## Form 990 changes

Supporting Organizations :  
Part II for schools, hospitals, etc.

**ROGER  
PRINCE, JD, APA**

Senior Manager  
BerryDunn  
Employee Benefit Audits  
Group



**BILL  
ENCK, CPA, CPC, APA**

Senior Manager  
BerryDunn  
Employee Benefit Audits  
Group



## ACA: CONTROLLED & AFFILIATED GROUPS

Controlled groups—watch out for this!

- The same rules apply as are used with qualified retirement plans
- Not-For-Profit aggregation depends upon Board composition

## ACA: CONTROLLED & AFFILIATED GROUPS

Controlled groups—disaggregation of Employers for Penalty purposes

- Only one 30/80 employee reduction  
Shared ratably based on each group member's FT EEs
- Each member entity owes a penalty, if any, based on its coverage only  
Penalties are assessed individually to group members

## ACA: USE OF LOOK-BACK RULES

Optional Look-Back Measurement Period method  
Looks at prior history to determine future treatment

- Measurement period (MP) – determine status
- Administrative Period (AP) – enrollment
- Stability Period (SP) – status fixed

## ACA: USE OF LOOK-BACK RULES

- Optional Look-back rules
- Counting the number of FT EEs for penalty purposes
- Ongoing Ees

Example – fiscal plan year

MP = 4/1/14 – 3/31/15

AP = 4/1/15 – 6/30/15

SP = 7/1/15 – 6/30/16



## ACA: USE OF LOOK-BACK RULES

- Special measurement/stability periods allowed for applying look-back method in 2015
- Measurement period of at least 6 consecutive months and get a full 12-month stability period in 2015 if:

Measurement period starts no later than 7/1/2014, and

Ends no earlier than 90 days before first day of 2015 Plan Year

## ACA: USE OF LOOK-BACK RULES

- Optional look-back rules
- **New EEs: Use an Initial Measurement Period**
- Status during Initial Measurement Period determined by ER's reasonable expectation.

Full-time

Part-time

Variable hour

Seasonal

## ACA: USE OF LOOK-BACK RULES

- LOOK-BACK RULES – Are different measurement periods permitted for different classes of employees?
- **YES**, for:
  - Salaried vs. hourly
  - Primary employment in different states
  - Collectively bargained vs. non-collectively bargained

## ACA: EMPLOYER REPORTING

- From Exchanges to Employers:
- **Section 1411 Certifications**

Notice of FT EEs who have qualified for premium credit.

HHS intends to send out in batches for 2015.

Starting in spring 2015.

ER may, but need not, appeal.

# ACA: EMPLOYER REPORTING

**Code § 6055 – Minimum Essential Coverage Reporting: Form 1095-B**

**Code § 6056 – Applicable Large Employer Reporting: Form 1095-C**

2014 – reporting is optional

**2015 – reporting is required**

Timing: same as the Form W-2 rules

\*provide to individuals by 1/31; file with IRS by 2/28 (3/31 if filing electronically)

# ACA: EMPLOYER REPORTING

**Code § 6055 – Minimum Essential Coverage Reporting: Form 1095-B**

**Code § 6056 – Applicable Large Employer Reporting: Form 1095-C**

Good faith standard for 2015 penalty relief:

\*applicable to incomplete or incorrect filings

Penalties for non-compliance:

\*\$200 per form

Electronic filing required if at least 250 forms

# ACA: EMPLOYER REPORTING

## Form 1095-B

- Required if “minimum essential coverage” is provided
- **Insurers will complete and file for all insured plans**
- All self-funded ERs must file (regardless of size)  
ALEs may include information on Form 1095-C instead

# ACA: EMPLOYER REPORTING

## Form 1095-B

What is reported to the IRS?

1. Name, address, TIN for each Responsible Individual
2. Name, address, TIN for each Covered Individual
3. Months for which each individual was enrolled
4. Whether coverage is SHOP coverage



# ACA: EMPLOYER REPORTING

## Form 1095-C

- Required by all Applicable Large Employers (50 or more FTEs)
- Done by ERs, not by Insurers
- **Much more complex than Form 1095-B reporting!**

# ACA: EMPLOYER REPORTING

## Form 1095-C (and 1094-C) – Applicable Large Employer reporting

What is reported to the IRS? – can be very onerous!

1. Certification as to offer of MEC to FT EEs
2. Months during calendar year that MEC was available
3. Number of FT EEs for each month
4. Each FT EE's share of the lowest cost self-only monthly premium
5. Name, address & TIN of each FT EE
6. The months of the year during which each FT EE was covered

# ACA: EMPLOYER REPORTING 1094-C

		(a) Minimum Essential Coverage Offer Indicator		(b) Full-Time Employee Count for ALE Member	(c) Total Employee Count for ALE Member	(d) Aggregated Group Indicator	(e) Section 4980H Transition Relief Indicator
		Yes	No				
23	All 12 Months	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
24	Jan	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
25	Feb	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
26	Mar	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
27	Apr	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
28	May	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
29	June	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	

# ACA: EMPLOYER REPORTING 1095-C

## Part II Employee Offer and Coverage

	All 12 Months	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	
<b>14</b> Offer of Coverage (enter required code)											
<b>15</b> Employee Share of Lowest Cost Monthly Premium, for Self-Only Minimum Value Coverage	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>16</b> Applicable Section 4980H Safe Harbor (enter code, if applicable)											

9 Offer of Coverage codes  
9 Safe Harbor codes

## ACA: EMPLOYER REPORTING 1095-C

Who will prepare the Forms 1094-C and 1095-C?

- Accountant?
- Payroll company?
- In-house?
- Other?

# INTERESTED IN MORE?

We are always available for your questions



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