



## Flash Update: 1094, 1095 Filing Deadlines Extended

**December 29, 2015**

In the spirit of the holidays, the government has just delivered another welcome gift to employers. Following on the heels of the two-year delay for the Cadillac tax, the IRS just extended the deadlines for distributing and filing the new IRS Forms 1094 and 1095. The new reporting requirements under health care reform require all employers sponsoring self-funded health plans and large employers (i.e. those with 50 or more full-time employees and full-time equivalents) to prepare IRS Forms 1094 and 1095.

The original deadline for distributing IRS Form 1095 to the employees was February 1, 2016, and the original deadline for submitting IRS Form 1094 and IRS Form 1095 to the IRS was February 29, 2016, if submitted in paper format and March 31, 2016, if submitted electronically. The IRS announced Monday that the deadlines have been pushed back.

The new deadline for distributing IRS Form 1095 to the employees is now March 31, 2016, and the deadline for submitting IRS Form 1094 and IRS Form 1095 to the IRS is now May 31, 2016, if the forms are submitted in paper format and June 30, 2016, if submitted electronically.

Here is a link to the IRS notice extending the deadlines:

<http://1.usa.gov/1SjvcG8>

This is certainly welcome news as employers and their vendors were scrambling to meet the original deadlines. The government has previously announced that it will not assess penalties if the employer makes a good faith attempt to comply with the reporting requirements. This means the employer will not be penalized for incomplete or incorrect forms, provided the forms were distributed to the employees and were filed with the IRS on time and the employer can demonstrate it made a good faith attempt. So the additional time also gives employers more breathing room to avoid penalties.