

Legal Update

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All Draft Forms & Instructions for ACA Reporting Now Available

In July 2024, the IRS released draft 2024 forms for reporting under Internal Revenue Code Sections 6055 and 6056. Thereafter, on Sept. 4, 2024 and Sept. 13, 2024, respectively, the draft instructions for the B series forms and C series forms were released.

- The **2024 draft Forms [1094-B](#) and [1095-B](#) (and related [draft instructions](#))** are draft versions of forms and instructions that will be used by providers of minimum essential coverage—including self-insured plan sponsors that are not applicable large employers (ALEs)—to report under Section 6055.
- The **2024 draft Forms [1094-C](#) and [1095-C](#) (and related [draft instructions](#))** are draft versions of forms that will be used by ALEs to report under Section 6056 as well as for combined Section 6055 and 6056 reporting by ALEs that sponsor self-insured plans.

No major changes were made to the draft forms or instructions for 2024 reporting. However, certain changes may be made once the forms and instructions are finalized.

Electronic Filing Requirement

The electronic filing threshold for information returns required to be filed on or after Jan. 1, 2024, is **10 or more** returns (originally, the threshold was 250 or more returns). The 10-or-more requirement applies in the aggregate to certain information returns. Accordingly, a reporting entity may be required to file fewer than 10 of the applicable Form 1094 and 1095, but still have an electronic filing obligation based on other kinds of information returns filed (e.g., Forms W-2 and 1099).

Electronic filing is done using the ACA Information Returns (AIR) Program. The IRS has provided guidance on electronic reporting under Section 6055 and Section 6056 through its [AIR Program main page](#), but this guidance is generally very technical and intended for software developers and other entities that plan on providing electronic reporting services. Nonetheless, it can provide useful information on standards and procedures for returns transmitted through the AIR Program.

Action Steps

Employers should become familiar with the draft forms for 2024 calendar year reporting, keeping in mind that these are **draft versions only and should not be relied upon for filing**. Employers should also monitor future developments for the release of the final forms and instructions.

Additional IRS Resources

The IRS provides the following resources for reporting entities:

- [Information Reporting by Providers of Minimum Essential Coverage](#)



IMPORTANT DATES

ACA information reporting for the 2024 calendar year is due in early 2025 as follows:

March 3, 2025

Individual statements for 2024 must be furnished within 30 days of Jan. 31, 2025. An alternative method of furnishing Form 1095-B is available. Because the deadline falls on a weekend, the individual statements must be furnished by the next business day, which is March 3, 2025.

March 31, 2025

Electronic IRS returns for 2024 must be filed by March 31, 2025.

- [Q&As: Information Reporting by Health Coverage Providers \(Section 6055\)](#)
 - [Information Reporting by Applicable Large Employers](#)
 - [Q&As: Employer Information Reporting on Form 1094-C and Form 1095-C](#)
 - [Q&As: Reporting of Offers of Health Insurance Coverage by Employers \(Section 6056\)](#)
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