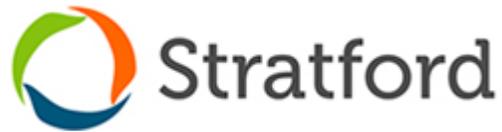


# ACA Eliminations, Delays & Extensions Chart



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Delays, shifting deadlines, and even the elimination of certain provisions of the Affordable Care Act (ACA) are providing employers and group health plans additional time to comply with certain key requirements that have not yet taken effect. For 2020, the following delays and extensions apply.

**Please Note:** This information is for general reference purposes only and is not all-inclusive. Requirements and compliance deadlines are subject to change. Additionally, your company or group health plan may be exempt from certain requirements described below. Employers with questions are advised to contact a knowledgeable employment law attorney or benefits advisor to obtain specific guidance.

## ELIMINATIONS/DELAYS

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### ELIMINATED: Cadillac Tax

On Dec. 20, 2019, the so-called "Cadillac Tax," an excise tax on high-cost employer-sponsored health coverage, was **repealed beginning with the 2020 taxable year**. The tax had previously been delayed until 2022.

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### DELAYED UNTIL FURTHER NOTICE: Nondiscrimination Rules For Fully-Insured Plans

Non-grandfathered fully-insured group health plans are [not required to comply](#) with certain rules prohibiting discrimination in favor of highly compensated individuals that are currently applicable to self-insured plans, **until after regulations or other administrative guidance is issued**. However, health benefits offered as part of a cafeteria plan (a plan which meets specific requirements to allow employees to receive certain benefits on a pre-tax basis) generally remain subject to the nondiscrimination requirements of Internal Revenue Code [Section 125](#).

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### DELAYED UNTIL FURTHER NOTICE: Form W-2 Reporting For Small Employers

The IRS has granted employers filing **fewer than 250 Forms W-2** for the preceding calendar year [transition relief](#) from reporting the cost of coverage under an employer-sponsored group health plan on each employee's Form W-2 **until the agency publishes additional guidance**.

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## EXTENSIONS

### EXTENSION: PCORI Fees for Self-Insured Plans

Patient-Centered Outcomes Research Institute (PCORI) fees are paid by employers that sponsor certain self-insured health plans to support research to evaluate and compare health outcomes and the clinical effectiveness of certain medical treatments, services, procedures, and drugs. The fee was previously in effect for plan years ending on or after Oct. 1, 2012 and before Oct. 1, 2019, **but was [reinstated](#) for the 2020-2029 fiscal years. As a result, applicable self-insured plans must continue to pay these fees through 2029.**

### EXTENSION: Deadline for Furnishing 2019 Forms 1095-B and 1095-C to Individuals

The IRS has [extended the due date](#) for employers to furnish 2019 Forms 1095-B and 1095-C to individuals under Internal Revenue Code Sections 6055 and 6056. As a result:

- Applicable large employers (generally those with 50 or more full-time employees, including full-time equivalents) generally must furnish a Form 1095-C to all full-time employees no later than **March 2, 2020**.
- Self-insured employers with fewer than 50 full-time employees (including full-time equivalents) generally must furnish a Form 1095-B to all responsible individuals—typically the primary insured, an employee or former employee, or other related person named on the application for insurance—no later than **March 2, 2020**.

The deadline for [filing with the IRS](#) remains February 28, 2020 (or March 31, 2020, if filing electronically).

### EXTENSION: Non-Enforcement Policy For Certain Small Business Coverage

A previously extended non-enforcement policy which allows health insurance issuers, *at their option*, to continue small business group coverage that would otherwise be terminated or cancelled [has been extended further](#)—**to policy years beginning on or before October 1, 2021, provided that all policies come into compliance by January 1, 2022**. Health insurance issuers that renew coverage under the extended policy are required to provide standard notices to affected small businesses for each policy year. Policies subject to this relief **will not be considered to be out of compliance with some of the ACA's key provisions**, including:

- The requirement to cover essential health benefits;
- The requirement that any variations in premiums be limited with regard to a particular plan or coverage to age and tobacco use, family size, and geography; and
- The requirements regarding guaranteed availability and renewability of coverage for employers.

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