





Employer shared responsibility mandate and reporting.



Insurance | Risk Management | Consulting

| | 2018 | 2019 |
|---|--|---|
|  Applicable Large Employer (ALE) Status | ALE determination was based on the full-time and full-time equivalent employee count for the 2017 calendar year. | ALE determination was based on the full-time and full-time equivalent employee count for the 2018 calendar year. |
|  Offers of Coverage | Employers with 50+ FTEs were required to offer coverage to at least 95% of full-time employees to avoid a penalty. | Employers with 50+ FTEs were required to offer coverage to at least 95% of full-time employees to avoid a penalty. |
|  Penalty for Not Offering Minimum Essential Coverage (Section 4980H(a)) | \$2,320 per full-time employee minus 30, if at least one employee received subsidized coverage through a public marketplace. | \$2,500 per full-time employee minus 30, if at least one employee received subsidized coverage through a public marketplace. |
|  Affordability | <p>Health coverage was affordable for an employee if the employee's contribution toward the lowest-cost, self-only, minimum value coverage did not exceed 9.56% of the applicable safe harbor:</p> <ul style="list-style-type: none"> a. Employee's W-2 wages b. Employee's rate of pay c. The federal poverty level (FPL) <p>2018 FPL was \$12,060.*</p> <p>Affordable individual premium based on FPL was \$96.08.*</p> <p>*If an employer is using the FPL safe harbor, the employer may use the FPL that is in effect within six months before the beginning of the plan year.</p> | <p>Health coverage was affordable for an employee if the employee's contribution toward the lowest-cost, self-only, minimum value coverage did not exceed 9.86% of the applicable safe harbor:</p> <ul style="list-style-type: none"> a. Employee's W-2 wages b. Employee's rate of pay c. The FPL <p>2019 FPL was \$12,140.*</p> <p>Affordable individual premium based on FPL was \$99.75.*</p> <p>*The updated FPL for 2019 will be released in January 2019. If an employer is using the FPL safe harbor, the employer may use the FPL that is in effect within six months before the beginning of the plan year.</p> |
|  Penalty for Offering Unaffordable Coverage or Failing to Provide Minimum Value (Section 4980H(b)) | \$3,480 per full-time employee who received subsidized coverage through a public marketplace. | \$3,750 per full-time employee who received subsidized coverage through a public marketplace. |
|  Reporting Deadlines | <p>Furnish individual statements by March 4, 2019.</p> <p>Paper filing due to the IRS by February 28, 2019.</p> <p>Electronic filing due to the IRS by April 1, 2019.</p> | <p>Furnish individual statements by January 31, 2020.</p> <p>Paper filing due to the IRS by February 28, 2020.</p> <p>Electronic filing due to the IRS by March 31, 2020.</p> |
|  Late Filings and Failure to File Penalties | <p>Filings that are no more than 30 days late: \$50 per return/\$545,500 maximum.</p> <p>Filings that are more than 30 days late (but not past August 1): \$100 per return/\$1,637,500 maximum.</p> <p>Filings after August 1 (or failure to file): \$270 per return/\$3,275,500 maximum.</p> | <p>Filings that are no more than 30 days late: \$50 per return/\$556,500 maximum (as adjusted for inflation).</p> <p>Filings that are more than 30 days late (but not past August 1): \$110 per return/\$1,669,500 maximum (as adjusted for inflation).</p> <p>Filings after August 1 (or failure to file): \$270 per return/\$3,339,000 maximum (as adjusted for inflation).</p> |

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