



THE
MELTZER
GROUP



Compliance Corner

June 30, 2015

Health Care Reform

U.S. Supreme Court Holds That Premium Tax Credits Are Available for Individuals Participating in Federally Facilitated Exchanges

On June 25, 2015, the U.S. Supreme Court, in a 6 – 3 ruling in *King v. Burwell*, held that the IRS may promulgate regulations to extend premium tax credits (PTCs) for coverage purchased through exchanges established by the federal government under PPACA Section 1321.

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IRS Releases 2015 Draft Versions of 6055 and 6056 Informational Reporting Forms

On June 16, 2015, the IRS released draft versions of the informational reporting forms that employer plan sponsors and health plans will use to satisfy their obligations under Sections 6055 and 6056 of the IRC in early 2016.

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Announcements

PCOR Fee, Form 720 Filing Due July 31

PPACA added the PCOR fee on health plans to support clinical effectiveness research. The PCOR fee applies to plan years ending on or after Oct. 1, 2012, and before Oct. 1, 2019.

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Reminder: Form 5500 Filing Deadline for Calendar-year Plans Is July 31

For plans that are subject to Form 5500 filing, plan sponsors are required to return on the last day of the seventh month following the end of their plan years. For calendar-year plans, sponsors must file by July 31, 2015 (reporting on the 2014 plan year).

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CMS Issues Instructions on How to Elect Federal External Review Process

On June 15, 2015, CMS released technical guidance containing instructions on electing a federal external review process within the Health Insurance Oversight System (HIOS). As background, PPACA instituted new rules concerning internal claims and appeals and external review. Specifically, if a claimant exhausts the internal appeals process, then certain circumstances allow for the claimant's appeal to go through an external review.

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IRS Releases Resources Regarding AIR Program

On June 15, 2015, the IRS released resources to assist various entities with electronic ACA informational return (AIR) submissions of returns required under PPACA. Forms 1094-B and 1095-B (6055 reporting) are required of insurers providing minimum essential coverage. Forms 1094-C and 1095-C (6056 reporting) are to be filed by applicable large employers subject to the employer mandate. Further, employers who sponsor a self-insured plan will use the Form 1095-C to fulfill its Section 6055 reporting requirements.

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Federal Updates

U.S. Supreme Court Rules Same-sex Marriage Bans Unconstitutional

On June 26, 2015, the U.S. Supreme Court issued its ruling in *Obergefell v. Hodges*, No. 14-556, holding in a 5-4 decision that the Fourteenth Amendment of the U.S. Constitution requires a state to license a marriage between two people of the same sex and to recognize a marriage between two people of the same sex when their marriage was lawfully licensed and performed out-of-state.

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State Updates

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Reference

[Commonly Used Acronyms Glossary »](#)

IRS Publishes *Employee Plans News* Issue No. 2015-7

On June 23, 2015, the IRS published Issue No. 2015-7 of *Employee Plans News*. In this edition, the IRS includes worksheets, explanations and information about the determination letter review process for the second Cycle E plan language and an updated Voluntary Correction Program (VCP) submission kit.

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FAQ

We have a self-insured plan and did not pay the PCOR fee last year. We want to make sure that we are in compliance now and are worried about penalties we may have incurred. What is the best way to handle this compliance issue?

[Read the Answer »](#)

