

# CLIENT ALERT

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EXTENSION OF DEADLINES FOR ACA  
REPORTING BY EMPLOYERS

FILING DEADLINE FOR NJ FILING

THERE ARE TWO PARTS TO THIS CLIENT ALERT

1. INFORMATION ON FEDERAL FILING OF YOUR 1095/1094 FORMS
2. NJ STATE REQUIREMENTS FOR ADDITIONAL FILING FOR NJ RESIDENTS

THE FOLLOWING FEDERAL FORMS REQUIRE FILING DEPENDING ON EMPLOYER SIZE AND POLICY FUNDING:

Form 1095 B and 1094 B – required to be filed by:

- The insurance company for small employers that are fully insured
- The small employer who is self-insured

Form 1095 C and 1094 C – required to be filed by:

- The employer for large employers, Parts I and II for policies that are fully insured.
- The employer for large employers, Parts I, II and III for policies that are self-insured.

In general, a small employer is one that that employed an average of fewer than 50 full-time equivalent employees on business days during the preceding calendar year.

In general, a large employer is one that that employed an average more than 50 full-time equivalent employees on business days during the preceding calendar year.

You must count all entities within a controlled group (based on Section 414 rules) when counting full-time equivalents (FTEs) to determine status as an applicable large employer, all entities within a controlled group are combined. Therefore, if together, the entities have 50 or more FTEs, then each entity is considered an applicable large employer subject both to the employer shared responsibility rules under Section 4980H and the reporting requirements on Forms 1094-C and 1095-C

## FEDERAL FILING DUE DATES

- FEDERAL FILING – EXTENSION GRANTED TO MARCH 2, 2022 TO EMPLOYEES
- FEDERAL FILING – PAPER FORMS, FEBRUARY 28, 2022 TO IRS (LESS THAN 250 FORMS)
- FEDERAL FILING – ELECTRONIC FILING TO MARCH 31, 2022 TO IRS (MANDATORY IF FILING 250 OR MORE FORMS)

You can apply for an automatic 30-day extension of the deadlines to file with the IRS—whether you are a paper or electronic filer—but the extension is available only if you file Form 8809 before the applicable due date.

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### NEW JERSEY STATE FILING REQUIREMENTS

As background, on January 1st, 2019, New Jersey enacted the “New Jersey Health Insurance Market Preservation Act” requiring New Jersey residents to maintain minimum essential health coverage unless the person qualified for an exemption. Failure to have health coverage or qualify for an exemption results in a Shared Responsibility Payment to the state of NJ when the resident files their New Jersey Income Tax return.

NJ has an official website devoted to third party filing and reporting requirements.  
(<https://nj.gov/treasury/njhealthinsurancemandate/employers.shtml>)

### THE FOLLOWING FORMS MAY BE USED FOR FILING DEPENDING ON EMPLOYER SIZE AND POLICY FUNDING:

\*NEW\* Form [NJ-1095](#) - Accepted from any filer. (Must be opened in Adobe)

Form 1095 B – required to be filed by:

- The insurance company for small or large employers that are fully insured
- The small employer who is self-insured

Form 1095 C – required to be filed by:

- The employer for large employers, Parts I, II and III for policies that are self-insured.

## NEW JERSEY FILING DUE DATES

- MARCH 2, 2022 to each primary enrollee who was a New Jersey resident and to whom the filer provided minimum essential coverage in all or part of 2020. This applies to both part-year and full-year New Jersey residents. A part-year resident is a primary enrollee who was domiciled in New Jersey for at least 15 days in any month.
- MARCH 31, 202, transmit 1095 health coverage forms to the New Jersey Division of Taxation.

Employers with 50 or more employees must submit their information to the State of New Jersey using the Division of Revenue and Enterprise Services' (DORES) MFT SecureTransport (Axway) service. Employers who do not have an MFT SecureTransport (Axway) service account, or need technical specifications should contact the state of NJ Treasury, <https://www.state.nj.us/treasury/assets/contact/egov/contact-egov.shtml>, Once DORES receives the request and authorizes the account, you will receive instructions on how to submit your health insurance coverage returns.

As an alternative to MFT SecureTransport (Axway), coverage providers with under 50 forms must file using Form NJ-1095. The NJ-1095 is a valid substitution for form 1095-B or 1095-C. [Filing instructions and the NJ-1095.](#)

For Non-NJ employers, it is suggested due to privacy regulations that you only send the forms for NJ residents to the state of NJ. The State of New Jersey's website cautions, "Out-of-state filers who provide information on non-residents of New Jersey should consult privacy and other laws pertaining to residents of other States before sending any sensitive or personal data to New Jersey."

## HOW CHB GROUP CAN HELP

Many payroll companies offer a filing service however if your does not or you don't want to use them, CHB Group has a program that we offer our clients for free. There may be a charge to handle the New Jersey filing. If you want more information or need assistance, please contact your account manager.

***Disclaimer:***

***This notification is provided as a highlight sheet and is not meant to advise you of your entire obligations under this law/act, nor to serve as legal advice. If you would like more information, please do not hesitate to contact our office, your accountant, or your attorney.***