

**Re: FAQs: New Annual Federal Reporting Requirement**

**Affordable Care Act (ACA)**

**Internal Revenue Code, Sections 6055 and 6056**

**1. What is the ACA requirement?**

Starting in 2014, the individual shared responsibility provision of the Affordable Care Act (ACA) calls for each individual to have qualifying health care coverage (known as minimum essential coverage) for each month of the year, qualify for an exemption, or make a payment when filing his or her federal income tax return. This is called the ACA “individual mandate.”

**2. How does the federal government verify health care coverage of individual citizens?**

Under the federal reporting requirement, health care plans and insurance companies must report member information to the IRS that can be linked to a health plan that is Certified Minimum Essential Coverage (MEC) under ACA requirements.

**3. When is the IRS filing required?**

2015 is the first year for which documentation of health care coverage must be provided to the IRS to verify the each individual’s ACA-compliant health coverage. The new reporting requirement is reflected in the Internal Revenue Code, Sections 6055 and 6056. It is important because individuals may incur tax penalties if verification of their health coverage is not provided.

*The filing deadline is March 31<sup>st</sup> for the prior calendar year. So the first filing is due to the IRS by March 31, 2016 to reflect covered members for each month of 2015. Each member will receive a form 1095-B, documenting that their information was reported to the IRS according to the new requirement. Information from this form can be used to answer questions about your health care on your tax return.*

**4. Are University of California students subject to this new federal requirement?**

Yes. Most college and university students are subject to the new reporting requirement. If you are on your parent’s plan or your own private health plan, the Plan or insurance company providing the coverage must comply with this new reporting requirement. If you are covered under a fully insured student health plan through your campus, your insurance carrier is responsible to report covered members to the IRS. UC SHIP is self-funded by the University and, as such, the Plan is required to comply with the new reporting requirement.

**5. What information must be reported to the IRS?**

The name, address, and Social Security Number (SSN) of plan members, including covered students and dependents.

**6. What if I do not report an SSN to the University?**

The Internal Revenue Code requires health plans to request the SSN in writing when this information is missing on enrollment records. Health Plans are required to request the SSN three times for each calendar year. The insurance company or health plan may substitute the Date of Birth for an SSN, if the SSN is not available by the filing deadline. The IRS may contact individuals to request their SSN if it is not included on the filing.

**7. Are there any exemptions to the requirement?**

Certain individuals are exempt from the requirement to obtain minimum essential coverage. They will still receive a statement of coverage but do not need to provide an SSN. To see a list of exemptions, go to Q/A 6 of the IRS Questions and Answers on the Individual Shared Responsibility Provision at <http://www.irs.gov/Affordable-Care-Act/Individuals-and-Families/Questions-and-Answers-on-the-Individual-Shared-Responsibility-Provision>

**8. Are there campus resources for undocumented students?**

Yes. Each campus has an undocumented student service coordinator: <http://www.ucop.edu/student-affairs/campus-contacts/undocumented-student-service-coordinators/index.html>

The Undocumented Student Legal Services Center is based at UC Davis and has attorneys to provide legal aid to undocumented students and their families at six other campuses (those that don't have their own law schools –, Merced, San Diego, San Francisco Santa Barbara, Santa Cruz, and Riverside). This program is located at the UC Davis Immigration Law Clinic.

**Immigration Law Clinic at UC Davis School of Law**

**103 TB 30  
Davis, CA 95616  
(530) 752 4308**

Additional information:

<http://www.universityofcalifornia.edu/press-room/legal-services-program-undocumented-students>

<https://law.ucdavis.edu/news/news.aspx?id=5111>

**9. Where can I find out more about the ACA and the individual shared responsibility requirement?**

For more information please visit: <http://www.irs.gov/Affordable-Care-Act/Individuals-and-Families/Individual-Shared-Responsibility-Provision>.