

TO: Local District Commissioners, Medicaid Directors

FROM: Lisa Sbrana, Director
Division of Eligibility and Marketplace Integration

SUBJECT: IRS Tax Form 1095-B Guidance

EFFECTIVE DATE: Immediately

CONTACT PERSON: Local District Support Units
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The purpose of this General Information System (GIS) message is to inform Local Departments of Social Services (LDSS) that Internal Revenue Service (IRS) Form 1095-B will no longer be automatically mailed to every individual enrolled in Medicaid, Child Health Plus (CHPlus) or Essential Plan (EP), and will only be mailed if requested by the individual.

The IRS Form 1095-B provides proof of an individual's qualifying health coverage satisfying the individual shared responsibility provision of the Affordable Care Act (ACA). The original ACA legislation required consumers to use Form 1095-B to compute their federal tax liability and file their income tax return.

Prior to tax year 2020, the Department of Health automatically mailed one or more 1095-B forms and an accompanying cover letter to all individuals who were enrolled in Medicaid with Minimum Essential Coverage (MEC) in the previous year. Individuals with the following Medicaid coverage codes are considered to have been in receipt of MEC: 01, 02, 10, 11, 16, 19, 20, 21, 22, 23, 30, 31, 32, 33; all CHPlus and EP coverage qualifies as MEC.

In December 2019, the IRS released Notice 2019-63 "Transition Relief Related to Health Coverage Reporting Required by I.R.C. Sections 6055 and 6056 for Tax Year 2019." In October 2020, the IRS released Notice 2020-76 "Transition Relief Related to Health Coverage Reporting Required by Sections 6055 and 6056 for Tax Year 2020." In these notices, the U.S. Treasury Department and the IRS advised that because the individual shared responsibility payment for health coverage was reduced to zero beginning in tax year 2019, an individual no longer needs the information contained on IRS Form 1095-B to compute their federal tax liability or file an income tax return. Furthermore, states and other entities are relieved from the penalty associated with NOT providing a 1095-B to individuals.

Beginning with Tax Year 2020, the Department has opted to use the relief afforded by the IRS. An IRS Form 1095-B will only be sent to individuals if they request a copy. To alert individuals of this change in policy, a message will be included on the Department of Health and NY State of Health websites. To request IRS Form 1095-B an individual can call 1-800-541-2831, send an email request to 1095B@health.ny.gov or send a request via postal mail to NY State of Health P.O. Box 11774 Albany, NY 12211.

Please direct any questions to your local district support liaison.