

# Designated Governmental Entity Form

## To give GIC Minimum Essential Coverage reporting responsibilities under Internal Revenue Code Section 6055

Under Internal Revenue Code (IRC) section 6055, a government employer may enter into a written agreement with another governmental unit that designates the other governmental unit as the entity responsible for filing the returns and furnishing the required statements for individuals receiving minimum essential coverage under the same plan or arrangement. A governmental employer that designates reporting under section 6055 will remain subject to section 4980H.

Any Governmental Employer whose employees are covered by self-insured health plans sponsored by the Group Insurance Commission may elect to designate the Group Insurance Commission (GIC) as its designated governmental unit, agency or instrumentality (also known as a designated governmental entity) to fulfill any reporting requirements for its employees and retirees who were enrolled in a GIC self-insured plan under IRS section 6055.

The Governmental Employer listed below hereby designates the GIC as its designated governmental unit to fulfill all reporting responsibilities under IRC section 6055 for its employees and retirees enrolled in GIC plans. This designation meets all requirements under IRC section 6055(c) and is effective under all applicable laws. The Governmental Employer must retain a signed and executed copy of the designation in its books and records. Once executed, the Governmental Employer or GIC may elect to revoke the designation by written notification at least 60 days prior to furnishing the statements required by Section 6055 each year.

By signing this designation, the Governmental Employer and GIC agree to the following:

1. The Governmental Employer is the person subject to the requirements of IRC section 6055;
2. GIC agrees to report information on behalf of the Governmental Employer for purposes of IRC section 6055 with respect to the Governmental Employer's employees, retirees and their dependents enrolled in a GIC self-insured plan for any portion of the reporting period;
3. GIC meets the requirements of an appropriately designated governmental unit under IRC section 6055(c); and
4. GIC will report on Form 1095-B.

### Governmental Employer Information

Governmental Employer Name:

Governmental Employer Address:

Agency/Division Code:

Governmental Employer EIN:

Contact Name:

Contact Title:

Contact Email:

Contact Telephone:

Signatory Name:

Signatory Title:

Authorized Signature:

Date:

## Designated Governmental Unit Information

Massachusetts Group Insurance Commission  
PO Box 556  
Randolph, MA 02368

GIC Signatory Name:

GIC Signatory Title:

GIC Signature:

Date:

*If GIC accepts the designation, GIC will return a signed copy of the form to the employer for its file. This designation is not in effect until the document has been signed by both the employer and GIC. If you have any questions, please contact **Andrew M. Stern** General Counsel, GIC at [andrew.stern@mass.gov](mailto:andrew.stern@mass.gov)*

## 25. May an ALE member that is a governmental unit designate a third party to file the return and furnish the statements under Section 6056 on its behalf?

Yes. Section 6056 and the regulations provide that an ALE Member that is a governmental unit (defined as the government of the United States, any State or political subdivision thereof, or any Indian tribal government (as defined in section 7701(a)(40)) or subdivision of an Indian tribal government (as defined in section 7871(d)), may report under section 6056 on its own behalf or may designate another person or persons, including another entity, to report on its behalf. A person may be designated to file the return and furnish the statements under section 6056 on behalf of the ALE Member if the person is part of or related to the same governmental unit as the ALE Member. A government entity that is appropriately designated to file for another governmental unit is referred to as a Designated Government Entity (DGE).

A separate Form 1094-C must be filed for each ALE Member for which the DGE is reporting. The DGE must provide the name, address and EIN of both the DGE and the ALE Member for which it is reporting. Additionally, the regulations require that there be a single Authoritative Transmittal, Form 1094-C, reporting aggregate employer-level data for the ALE Member (including full-time employees of the ALE Member the reporting for which has been transferred to a DGE), and that there be only one Form 1095-C for each full-time employee of the ALE Member with respect to employment with that ALE Member. For additional details, see the instructions for Forms 1094-C and 1095-C and the Questions and Answers about Information Reporting by Employers on Form 1094-C and 1095-C.

The DGE must agree that it is the person appropriately designated by the governmental unit to report for the governmental unit and that it is responsible for reporting under section 6056 on behalf of the ALE Member. Thus, the DGE is subject to the information reporting penalty provisions of sections 6721 and 6722. However, the ALE Member (and not the DGE) remains subject to any potential liability under section 4980H.

## 26. May an ALE Member that is a governmental unit that sponsors a self-insured health plan designate a third party to file the return and furnish the statements under section 6055 on its behalf?

Yes. An employer that is a governmental unit that sponsors a self-insured health plan may designate a DGE to satisfy its reporting obligations under section 6055. The procedures for a governmental unit to designate a DGE for reporting under section 6055 are the same as those for designating a DGE for reporting under section 6056 as described in the question above, and the regulations under section 6055. As with the designation under section 6056, a governmental unit that designates a DGE for reporting under section 6055 remains subject to any potential liability under section 4980H.

## 21. What forms do a DGE and the designating governmental unit use to report the required information?

A governmental unit and a DGE should use Form 1094-B, Transmittal of Health Coverage Information Returns and Form 1095-B or Form 1094-C and Form 1095-C, as follows:

(A) An ALE Member with an insured employer-sponsored health plan (or options under the employer-sponsored health plan that are insured) that has delegated to a DGE the responsibilities for reporting the offer of coverage (section 6056) information.

In this case, the DGE must report the offer of coverage information using a Form 1094-C and a Form 1095-C for each employee for whom the governmental unit has delegated the reporting to the DGE.

(B) An ALE Member that sponsors a self-insured health plan (or options under the group health plan that are self-insured) that has delegated to the DGE the responsibilities for reporting the offer of coverage (section 6056) information and the enrollment in coverage (section 6055) information.

In this case, the DGE must report the offer of coverage information and the enrollment information using a Form 1094-C and a Form 1095-C for each employee for whom the governmental unit has delegated the reporting to the DGE.

(C) An ALE Member that sponsors a self-insured health plan (or options under the group health plan that are self-insured) that has delegated to the DGE the responsibilities for reporting the enrollment in coverage (section 6055) information but not the offer of coverage (section 6056) information.

In this case, the DGE will report the enrollment information on Form 1094-B and Form 1095-B. Because the governmental unit did not delegate its responsibilities for reporting the offer of coverage information, the governmental unit must report the offer of coverage information on Form 1094-C and Form 1095-C for each full-time employee; however, it should not complete Form 1095-C, Part III (since the enrollment information will be provided by the DGE on Form 1095-B).