*Commonwealth of Massachusetts*

*Executive Office of Health and Human Services Office of Medicaid*

[*www.mass.gov/masshealth*](http://www.mass.gov/masshealth)

TO: MassHealth Eligibility Operations Staff

### Eligibility Operations Memo 19-02 January 1, 2019

FROM: Amy Dybas, Deputy Chief Operating Officer for Member Policy Implementation, Training, and Communications


### RE: Federal and State Health Insurance Requirements for Tax Year 2018

**Introduction**

For tax year 2018, both **federal and state** regulations require Massachusetts residents to have health insurance that meets certain standards. Federal rules require coverage known as **Minimum Essential Coverage** (MEC), while state rules require **Minimum Creditable Coverage** (MCC).

Individuals who do not meet these health insurance requirements may be responsible for penalties on their state and/or federal tax returns. For the Massachusetts health-care mandate, the Massachusetts Department of Revenue (DOR) is responsible for enforcing this requirement. The Internal Revenue Service (IRS) enforces federal health insurance requirements under the Affordable Care Act.

## Minimum Essential Coverage

Minimum Essential Coverage (MEC) is the minimum level of benefits needed for taxpayers to be considered insured and avoid federal tax penalties. The following coverage types meet MEC.

* Standard
* CarePlus
* CommonHealth
* Family Assistance

## Minimum Creditable Coverage

Minimum Creditable Coverage (MCC) is the minimum level of benefits needed for taxpayers to be considered insured and avoid federal tax penalties. The following coverage types meet MCC.

* Standard
* CarePlus
* CommonHealth
* Family Assistance

## State Requirements for Tax Year 2018—Form 1099-HC

Massachusetts regulations require MassHealth to furnish proof of insurance to its members who had Minimum Creditable Coverage in 2018. MassHealth will issue each eligible individual a Form 1099-HC. This form shows each month the individual was covered in 2018. If all 12 months are marked covered, the individual was covered by MassHealth for the entire 2018 calendar year. If specific months are marked, the individual was covered by MassHealth only during the marked months.

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**State Requirements for Tax Year 2018—Form 1099-HC *(cont.)***

MassHealth will issue **Form 1099-HC** to members who were covered in a MCC coverage type for at least **15 days** of any month during calendar year 2018. Form 1099-HC will be sent out at the individual level. In order for a member to receive this form, the following conditions must be met.

* Member must have income greater than 150% of the federal poverty level (FPL) at any point during calendar year 2018.
* Member must have a MCC coverage type for at least 15 days of any month during

calendar year 2018.

* Member must have been at least 18 years old as of December 31, 2018.

***Note:*** *Members with* ***income at or below 150% FPL will not*** *receive a Form 1099-HC from MassHealth.*

## Federal Requirements for Tax Year 2018—Form 1095-B

Federal regulations under the Affordable Care Act require MassHealth to furnish proof of insurance to MassHealth members who had Minimum Essential Coverage in 2018. MassHealth will issue each eligible individual a Form 1095-B. This form shows each month the individual was covered in 2018. If all 12 months are marked covered, the individual was covered by MassHealth for the entire 2018 calendar year. If specific months are marked, the individual was covered by MassHealth only during the marked months.

MassHealth will issue Form 1095-B to members who were covered in a Minimum Essential Coverage aid category for at least one day of any month during calendar year 2018. Form 1095-B will be sent out at the individual level; each member of the household will receive this form.

***Note:*** *Some individuals will receive both the 1095-B and the 1099-HC. The information on the MA 1099-HC may differ from the 1095-B because of differences in federal and state rules regarding minimum essential coverage.*

## For Health Connector Members

Individuals enrolled in qualified health plans (QHP) through the Affordable Care Act will not receive Form 1095-B. They will be issued a different form called Form 1095-A.

***Note:*** *Individuals who received QHP and MassHealth benefits in 2018 may receive Form 1095-A, Form 1095-B, and the 1099-HC (if applicable).*

If QHP recipients have questions about federal tax-filing requirements, they may call the IRS Call Center at (800) 829-1040 or go to [www.irs.gov](http://www.irs.gov/). If individuals have questions about why they received Form 1095-A from the Health Connector, or if they need a duplicate copy of Form 1095-A, they should contact Health Connector Customer Service at (877) MA-ENROLL (877) 623-6765) (TTY: (877) 623-7773 for people who are deaf, hard of hearing, or speech disabled). Members may download a copy of their Form 1095-A online by signing into their account at [www.MAHealthConnector.org](http://www.mahealthconnector.org/) and clicking on “Make a Payment.” 1095-As are viewable in the “My Tax Documents” section of the Payment Center.

## Tax Penalties and Permissible Lapse Periods–Form 1099-HC

There is no state penalty for those with a lapse in coverage of three or fewer months during 2018. Taxpayers who lose but then resume their coverage within three or fewer consecutive calendar months will not be subject to penalties. Multiple and distinct lapses are permitted throughout the year. Taxpayers with four or more consecutive months without insurance will indicate on Schedule HC if they had access to affordable health insurance (either through an employer, the government, or on their own).

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**Tax Penalties and Permissible Lapse Periods–Form 1099-HC *(cont.)***

There is no state penalty for those with a lapse in coverage of three or fewer months during 2018. Taxpayers who lose but then resume their coverage within three or fewer consecutive calendar months will not be subject to penalties. Multiple and distinct lapses are permitted throughout the year. Taxpayers with four or more consecutive months without insurance will indicate on Schedule HC if they had access to affordable health insurance (either through an employer, the government, or on their own).

Taxpayers calculate access to affordable health insurance on Schedule HC. If insurance is deemed unaffordable, the health-care penalty does not apply. If insurance is deemed affordable, the health-care penalty applies. The taxpayer may appeal the penalty to the Health Connector. More information about the appeals process is available on the DOR website ([www.mass.gov/dor](http://www.mass.gov/dor)).

## Tax Penalties and Permissible Lapse Periods–Form 1095-B

In accordance with the Affordable Care Act’s Individual Shared Responsibility Provision, members with a lapse in coverage of two months or less are not subject to a federal tax penalty. Those with a lapse in coverage of three or more consecutive months will incur a tax penalty for any month that the member did not have MEC. Members who do not qualify for a coverage exemption will need to make an individual, shared responsibility payment with their federal tax return.

Taxpayers may qualify for an exemption if they meet any of the following.

* The minimum amount they must pay for the annual premiums is more than eight percent of their household income.
* They have a gap in coverage that is less than three consecutive months.
* They qualify for an exemption for one of several other reasons, including having a hardship that prevents them from obtaining coverage or belonging to a group

explicitly exempt from the requirement.

For more information about tax exemptions and the Shared Responsibility Provision, visit [www.irs.gov/Affordable-Care-Act/Individuals-and-Families/Individual-Shared-](http://www.irs.gov/Affordable-Care-Act/Individuals-and-Families/Individual-Shared-Responsibility-Provision) [Responsibility-Provision](http://www.irs.gov/Affordable-Care-Act/Individuals-and-Families/Individual-Shared-Responsibility-Provision).

## Questions

If individuals have questions about why they received the Form MA 1099-HC or Form 1095- B from MassHealth, or if they need a duplicate copy of either form, they should contact the MassHealth Customer Service Center at (866) 682-6745 (TTY: (800) 497-4648 for people who are deaf, hard of hearing, or speech disabled).

If members have questions about whether they are required to fill out a federal tax return, or about how to complete federal tax returns with the information provided for 1099-HC and/or 1095-B, they may call the IRS Call Center at (800) 829-1040 or go to [www.irs.gov](http://www.irs.gov/) where they can obtain information about the tax penalty, instructions, and a sample Form 1095-B.

For inquiries on how to calculate access to affordable insurance or on the appeals process, refer the member to the Schedule HC instructions in the Massachusetts tax form or on the DOR website at [www.mass.gov/dor](http://www.mass.gov/dor). The instructions are available wherever Massachusetts tax forms are available, such as public libraries and online.

For inquiries about the DOR online application, MassTaxConnect, refer the member to the DOR website ([www.mass.gov/dor](http://www.mass.gov/dor)).

If you have any questions about this memo, please have your MEC designee contact the Policy Hotline.

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Form **1095-B** Department of the Treasury Internal Revenue Service

**Part I Responsible Individual**

# Health Coverage

▶ **Do not attach to your tax return. Keep for your records*.***

▶ **Go to** [***www.irs.gov/Form1095B***](http://www.irs.gov/Form1095B) **for instructions and the latest information.**

VOID CORRECTED

560118

OMB No. 1545-2252

**2018**

**1** Name of responsible individual–First name, middle name, last name **2** Social security number (SSN) or other TIN **3** Date of birth (if SSN or other TIN is not available)

**4** Street address (including apartment no.) **5** City or town **6** State or province **7** Country and ZIP or foreign postal code

1. Enter letter identifying Origin of the Health Coverage (see instructions for codes): . . . ▶
2. Reserved

**Part II Information About Certain Employer-Sponsored Coverage** (see instructions)

1. Employer name **11** Employer identification number (EIN)

**12** Street address (including room or suite no.) **13** City or town **14** State or province **15** Country and ZIP or foreign postal code

**Part III Issuer or Other Coverage Provider** (see instructions)

**16** Name **17** Employer identification number (EIN) **18** Contact telephone number

**19** Street address (including room or suite no.) **20** City or town **21** State or province **22** Country and ZIP or foreign postal code

**Part IV Covered Individuals** (Enter the information for each covered individual.)

1. Name of covered individual(s)
2. SSN or other TIN **(c)** DOB (if SSN or other **(d)** Covered

**(e)** Months of coverage

First name, middle initial, last name

TIN is not available)

all 12 months

Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec

**23**

For 2018, each covered individual will receive a separate Form 1095-B from MassHealth.

**For Privacy Act and Paperwork Reduction Act Notice, see separate instructions.** Cat. No. 60704B

Form **1095-B** (2018)

560216

Form 1095-B (2018) Page **2**

# Instructions for Recipient

This Form 1095-B provides information needed to report on your income tax return that the individuals in your tax family (yourself, spouse, and dependents) had qualifying health coverage (referred to as “minimum essential coverage”) for some or all months during the year. Individuals who don't have minimum essential coverage and don't qualify for an exemption from this requirement may be liable for the individual shared responsibility payment.

Minimum essential coverage includes government-sponsored programs,

**Line 8.** This is the code for the type of coverage in which you or other covered individuals were enrolled. Only one letter will be entered on this line.

1. Small Business Health Options Program (SHOP)
2. Employer-sponsored coverage
3. Government-sponsored program
4. Individual market insurance
5. Multiemployer plan
6. Other designated minimum essential coverage

*If you or another family member received health insurance*

eligible employer-sponsored plans, individual market plans, and other

coverage the Department of Health and Human Services designates as minimum essential coverage. For more information on the requirement to

**TIP**

*coverage through a Health Insurance Marketplace (also known as an Exchange), that coverage will generally be reported on a*

have minimum essential coverage and what is minimum essential coverage,

see [*www.irs.gov/Affordable-Care-Act/Individuals-and-Families/Individual-*](http://www.irs.gov/Affordable-Care-Act/Individuals-and-Families/Individual-) *Shared-Responsibility-Provision*.

*Providers of minimum essential coverage are required to furnish*

*Form 1095-A rather than a Form 1095-B. If you or another family member*

*received employer-sponsored coverage, that coverage may be reported on a Form 1095-C (Part III) rather than a Form 1095-B. For more information, see* [www.irs.gov/Affordable-Care-Act/Questions-and-Answers-About-Health-](http://www.irs.gov/Affordable-Care-Act/Questions-and-Answers-About-Health-) Care-Information-Forms-for-Individuals.

## TIP

*only one Form 1095-B for all individuals whose coverage is*

*reported on that form. As the recipient of this Form 1095-B, you*

**Line 9.** Reserved.

*should provide a copy to other individuals covered under the policy if they request it for their records.*

**Additional information.** For additional information about the tax provisions of the Affordable Care Act (ACA), including the individual shared responsibility provisions, the premium tax credit, and the employer shared responsibility provisions, see [*www.irs.gov/Affordable-Care-Act/Individuals-*](http://www.irs.gov/Affordable-Care-Act/Individuals-) *and-Families* or call the IRS Healthcare Hotline for ACA questions

(1-800-919-0452).

**Part I. Responsible Individual, lines 1–9.** Part I reports information about you and the coverage.

**Lines 2 and 3.** Line 2 reports your social security number (SSN) or other taxpayer identification number (TIN), if applicable. For your protection, this form may show only the last four digits. However, the coverage provider is required to report your complete SSN or other TIN, if applicable, to the IRS. Your date of birth will be entered on line 3 only if line 2 is blank.

**Part II. Information About Certain Employer-Sponsored Coverage, lines 10–15.** If you had employer-sponsored health coverage, this part may provide information about the employer sponsoring the coverage. This part may show only the last four digits of the employer's EIN. This part also may be left blank, even if you had employer-sponsored health coverage. If this part is blank, you do not need to fill in the information or return it to your employer or other coverage provider.

**Part III. Issuer or Other Coverage Provider, lines 16–22.** This part reports information about the coverage provider (insurance company, employer providing self-insured coverage, government agency sponsoring coverage under a government program such as Medicaid or Medicare, or other coverage sponsor). **Line 18 reports a telephone number for the coverage provider that you can call if you have questions about the information reported on the form.**

**Part IV. Covered Individuals, lines 23–28.** This part reports the name, SSN or other TIN, and coverage information for each covered individual. A date of birth will be entered in column (c) only if the SSN or other TIN isn't entered in

▲**!**

**CAUTION**

*If you don't provide your SSN or other TIN and the SSNs or other TINs*

*of all covered individuals to the sponsor of the coverage, the IRS may not be able to match the Form 1095-B with the individuals to*

column (b). Column (d) will be checked if the individual was covered for at least one day in every month of the year. For individuals who were covered for some but not all months, information will be entered in column (e)

*determine that they have complied with the individual shared responsibility*

*provision.*

indicating the months for which these individuals were covered. If there are more than six covered individuals, see Part IV, Continuation Sheet(s), for information about the additional covered individuals.

*Commonwealth of Massachusetts*

*Executive Office of Health and Human Services*

[*www.mass.gov/masshealth*](http://www.mass.gov/masshealth)

Name Address

City, State Zip

Date, 2019

### FORM MA 1099-HC

This form tells you which months you had MassHealth coverage during 2018. You may need this information to file your Massachusetts tax return.

Massachusetts law requires adult residents 18 years andolder to have health insurance if they can afford it. By law, the health insurance must meet a certain standard known as “minimum creditable coverage.” Many MassHealth programs meet that standard. Failure to have affordable health insurance (including MassHealth) that meets the minimum creditable coverage requirement may result in penalties.

The Massachusetts Department of Revenue (DOR) is responsible for enforcing this requirement through the personal income tax filing process. To show proof of coverage, you must complete Schedule HC (for health care) with your Massachusetts personal income tax return.

Our records show that you had MassHealth coverage for the following months:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| JAN FEB | MARCH APRIL MAY | JUNE | JULY | AUG SEPT OCT NOV DEC |
|             |

The MassHealth coverage for the marked months meets the standard for the minimum creditablecoverage requirements.

You may be asked on Schedule HC to indicate which months you were covered by health insurance, including MassHealth, by filling in the ovals on the form. Follow the instructions that come with Schedule HC to determine if you are subject to a penalty.

For more information on the individual mandate, including a list of Frequently Asked Questions, or for copies of the Schedule HC, please visit DOR’s website at [www.mass.gov/dor](http://www.mass.gov/dor). Schedule HC can also be found wherever Massachusetts income tax forms are available, such as public libraries.

If you have any questions about this notice, please call the MassHealth Customer Service Center at (866) 682-6745 (TTY: (800) 497-4648 for people whoare deaf, hard of hearing, or speech disabled).

Thank you.

MassHealth

NOTES: DOR has an online application called “masstaxconnect” available for resident taxpayers. Basedon your answers to some opening questions, you may be able to file your Massachusetts income taxes online with DOR for free. Visit [www.mass.gov/dor](http://www.mass.gov/dor) for more information.

*Commonwealth of Massachusetts*

*Executive Office of Health and Human Services* [*www.mass.gov/masshealth*](http://www.mass.gov/masshealth)

Nombre Dirección

Ciudad, Estado Código postal

Fecha, 2019

### FORMULARIO MA 1099-HC

Este formulario le indica en cuáles meses usted tuvo cobertura de MassHealth durante el 2018. Usted podría necesitar esta información para presentar su declaración de impuestos de Massachusetts.

La ley de Massachusetts exige que los residentes adultos a partir de los 18 años de edad tengan seguromédico si pueden pagarlo. Por ley, el seguro médico debe cumplircon ciertos estándares conocidos como “cobertura acreditable mínima.” Muchos programas de MassHealth cumplen con ese estándar. No tener seguro médico asequible (incluyendo MassHealth) que cumple con el requisito de cobertura acreditable mínima puede resultar en multas.

El Departamento de Hacienda de Massachusetts (DOR) es responsable de hacer cumplir este requisito por medio del proceso de declaración de impuestos sobre el ingreso personal. Para demostrar pruebas de cobertura, debe completar la Planilla HC (Schedule HC, para atención médica) con su declaración personal de impuestos de Massachusetts.

Nuestros registros muestran que usted tuvo cobertura de MassHealth en los siguientes meses:

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| ENE FEB | MAR ABR | MAY | JUN | JUL | AGO | SEP | OCT NOV | DIC |
|             |

La cobertura de MassHealth para los meses marcados cumple con el estándar para los requisitos de cobertura acreditable mínima.

Se le podría pedir en la Planilla HC (Schedule HC) que indique en qué meses usted estaba cubierto por el seguro médico, incluido MassHealth, llenando los óvalos del formulario. Siga las instrucciones que vienen con la Planilla HC para determinar si usted está sujeto a una multa.

Para obtener más información sobre este mandato individual, incluida una lista de Preguntas más frecuentes, o para obtener copias de la Planilla HC, visite nuestro sitioweb del DOR en [www.mass.gov/dor.](http://www.mass.gov/dor) La Planilla HC también puede encontrarse en cualquier lugar en donde se disponga de formularios para la declaración de impuestos de Massachusetts, como bibliotecas públicas.

Si usted tiene preguntas sobre este aviso, llame al Centro de servicio al cliente de MassHealth al (866) 682-6745; TTY: (800) 497-4648 para personas sordas, con dificultad auditiva o discapacidad del habla.

Muchas gracias. MassHealth

NOTAS: El DOR tiene una solicitud en línea llamada “masstaxconnect” (enlace para impuestos de Mass.) a disposición de los contribuyentes residentes. Basándonos en sus respuestas a algunas preguntas iniciales, usted podría declarar sus impuestos de Massachusetts en línea con el DOR de manera gratuita. Visite [www.mass.gov/dor](http://www.mass.gov/dor) para obtener más información.