



## Frequently Asked Questions about Form 1095-A

### 1. Why did I get a Form 1095-A from NY State of Health?

You received a Form 1095-A because you or a family member enrolled in private health insurance through NY State of Health for all or part of the 2021 calendar year.

The Form 1095-A is only issued to consumers in Qualified Health Plans (QHP) purchased through NY State of Health at the Bronze, Silver, Gold and Platinum levels. The Form 1095-A is not issued to consumers in Catastrophic plans, Medicaid plans, Child Health Plus, or the Essential Plan because they are not eligible for the Premium Tax Credit (PTC).

### 2. What do I need to do with the Form 1095-A?

If you or a family member enrolled in health insurance coverage with financial assistance through NY State of Health for all or part of 2021:

You will need Form 1095-A to complete your federal tax return. The financial assistance you or a family member received was in the form of advance payments of the premium tax credit (APTC). The Internal Revenue Service requires individuals or families who received APTC to file an income tax return and attach IRS Form 8962, Premium Tax Credit (PTC). Form 8962 is available from the IRS at [www.irs.gov](http://www.irs.gov). The Form 1095-A will help you complete Form 8962.

If you or a family member enrolled in health insurance coverage without financial assistance through NY State of Health for all or part of 2021:

Even if you did not receive financial assistance to pay for your health plan, depending on your income, you might still be able to get help at tax time. You will need Form 1095-A to complete your federal tax return if you want to claim the Premium Tax Credit (PTC). The PTC is a tax credit that may provide you with financial assistance to help offset premium costs. Thanks to the American Rescue Plan Act, which was signed into law in March 2021, higher income individuals with incomes above 400% of the Federal Poverty Level (FPL) may also qualify for PTC. The instructions for Form 8962 will help you determine if you meet the eligibility requirements for this credit.

You must file IRS Form 8962, Premium Tax Credit, to claim the tax credit. Form 8962 is available from the IRS at [www.irs.gov](http://www.irs.gov) or your tax preparer. Your Form 1095-A provides you with information you will need to complete the Form 8962.

**3. I received a 1095-A last year, but now I'm in the Essential Plan and did not receive one. Don't I need one to file my taxes?**

The Form 1095-A is only issued to consumers eligible for the Premium Tax Credit (PTC). Since you were enrolled in the Essential Plan in 2021, you were not eligible for PTC and will not receive a Form 1095-A.

**4. What types of information are on the Form 1095-A?**

Form 1095-A includes information you need to complete Form 8962 if you want to claim the PTC or are required to reconcile the APTC you already received. Form 1095-A has three parts:

**Part I:** Provides basic information about you, and the start and end dates for the specific health plan reported on each Form 1095-A.

**Part II:** Provides information about each household member covered under the same policy. If you applied for financial assistance and told us who was in your tax household, Part II will only include information for your own tax household. Individuals in a separate tax household will receive their own Form 1095-A. If you did not apply for financial assistance, Part II will include everyone enrolled in the same policy even if they are not in your tax household.

**Part III:** Provides information for every month of the year for three items:

1. The share of your QHP and, if applicable, your Stand-Alone Dental premiums, attributed to Essential Health Benefits (EHB). See Question 6 for more information about this premium cost reported on your Form 1095-A.
2. The premium amount of the Second Lowest Cost Silver Plan (SLCSP) for your coverage household in your county of residence. The premium amount of the SLCSP is provided because the IRS uses this premium amount to calculate the amount of tax credit you are eligible for. This information is only provided for individuals who used APTC. For individuals who were enrolled without APTC (those who did not apply for financial assistance or those who chose not to apply any of the APTC that they were eligible for), NY State of Health has provided a table to look up the correct SLCSP.
3. If applicable, the advance payment of the premium tax credit paid on your behalf to the issuer of your policy.

## 5. Why did I get more than one Form 1095-A?

There are several instances in which NY State of Health will issue multiple Forms 1095-A. Here are the most common reasons:

- Change in QHP: If you or someone in your household changed plans during 2021, we will send one form detailing enrollment in each plan. If you were enrolled in a health plan, then dis-enrolled in the plan, and then re-enrolled in the same plan, we will issue one form for each of these two enrollment periods.
- Different members of the household were enrolled in different plans: If members of your household were enrolled in separate QHPs, we will issue one form for each health plan.
- Change in use of APTC: If you or someone in your tax household used APTC in some months and then stopped using APTC for subsequent months (or vice versa), one form will be issued for the months in which APTC was used and another form will be issued for the months in which APTC was not used.
- Change in subscriber: If there is a change to the primary subscriber of a policy, one form will be issued for the months in which one person was the primary subscriber, and another form will be issued for the months in which a different person was the primary subscriber.

## 6. Why does the monthly premium amount on Form 1095-A not match the premium amount I see in my account or the bill I received from my health plan?

Federal regulations permit (A)PTC to be used only for benefits that are considered Essential Health Benefits (EHB) and may not be used for benefits that are not EHB. Because the Form 1095-A provides information needed to claim the PTC or reconcile the APTC, the form only includes the share of premiums that cover EHB, which may or may not reflect the monthly premium amount that you paid. Please also note that if you were enrolled in a stand-alone dental plan, the portion of your dental coverage premium that covers pediatric dental, which is considered EHB, not just the premium for your medical health plan will be included in your monthly premium amount.

A list of Essential Health Benefits is available here:

<http://info.nystateofhealth.ny.gov/news/what-are-essential-health-benefits> Some health plans only include EHB and some plans have additional benefits (such as acupuncture).

**7. I enrolled in a health plan with someone who is not a spouse or a dependent (such as a domestic partner or non-dependent child) and we received financial assistance. Why is he/she not listed on my Form 1095-A?**

If you enrolled in a health plan with financial assistance with someone that you do not claim as a dependent on your tax return, you will receive a Form 1095-A for yourself and your dependents (if any), and the other individual will receive a 1095-A for him/herself.

The IRS requires us to send a separate Form 1095-A to each tax family enrolled in a health plan, and to only include the information for that particular tax family on each Form 1095-A.

**8. My dependent and I were enrolled in a health plan with financial assistance. Why is the dependent not listed on my Form 1095-A?**

If you indicated on your application for the 2021 coverage year that the individual was not a dependent and therefore was in a separate tax family, NY State of Health sent a separate Form 1095-A to the individual. You cannot retroactively change the information on your NY State of Health application, but you can log in to your account and correct information in your application for the 2022 enrollment year.

**9. My entire family was enrolled in a health plan through NY State of Health, but only one person in my family received a Form 1095-A. Is everyone in the family supposed to receive a copy of the form?**

If you enrolled with financial assistance, the Form 1095-A is sent to one person in each tax family enrolled in each health plan. For example, if a married couple enrolls in one health plan, NY State of Health sends only one Form 1095-A to the account holding spouse. If a married couple enrolls in a health plan with financial assistance with their non-dependent child, we will send one Form 1095-A to the account holder and a second Form 1095-A to the non-dependent child. Forms will only include the information for that particular tax family, even if there are others covered by the policy.

If you did not apply for financial assistance, you were not required to tell NY State of Health who is in your tax family and we will send one Form 1095-A to the account holder for everyone enrolled in the health plan.

**10. I was supposed to receive a Form 1095-A but did not get one. How do I get a replacement copy of the Form?**

If a Form 1095-A is addressed to you and you are the account holder on your NY State of Health account, you can find the form in your online account at [www.nystateofhealth.ny.gov](http://www.nystateofhealth.ny.gov). Log in to your account and look for the Form 1095-A in your inbox. If you are unable to access your account online, please call NY State of Health at 1-855-766-7860.

If a Form 1095-A is addressed to you and you are not the account holder on the account, please call NY State of Health at 1-855-766-7860.

**11. How do I get information from a Form 1095-A that was not addressed to me?**

NY State of Health can only provide Forms 1095-A and information on those forms to the person to whom the form is addressed. If you need information from a Form 1095-A that was not addressed to you, please contact the person to whom the form was addressed or contact the NY State of Health at 1-855-766-7860.

**12. I forgot to report a change in circumstance that occurred in coverage year 2021, what should I do?**

Form 8962 will provide instructions on how to reconcile changes that you did not report to NY State of Health. If you did not report a change in circumstance, you may be eligible for additional PTC or you may owe PTC to the IRS.

The information on Form 1095-A reflects the information that you reported to NY State of Health for the 2021 enrollment year. You cannot retroactively change the information in your account that applied to your 2021 enrollment or eligibility. You can only make changes prospectively.

If you did not update your application to reflect changes in 2021, such as a change in annual income, who you plan to claim as a dependent, or where you lived, these changes would not be reflected in your current Form 1095-A.

Going forward, if you are enrolled in a health plan through NY State of Health, you should always report changes in circumstance within 30 days.

**13. I was enrolled in a health plan with financial assistance. Why does my Form 1095-A indicate that I had APTC for a month in which I was not enrolled in a health plan?**

You are eligible for the PTC only for months in which you pay your share of your health insurance premiums. If your health plan provided coverage for a month that you did not pay your share of your premium, you have to pay back the PTC that was paid on your behalf to the health plan for that month.

For example:

January 2021:	You enroll in a health plan with financial assistance.
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January – May 2020:	You pay your share of the premium on time each month and APTC is paid to your health plan each month.
June 2021:	You do not pay your premium, you do not actively terminate your coverage, and enter your 90-day grace period to pay your June premium. APTC is paid to your health plan for June.
September 2021:	You still have not paid your premium for June and you get terminated retroactively to June 30. Under the federal premium payment grace period rules, the health plan was required to pay providers for any covered services you used in June. However, you are not eligible for APTC for that month because you did not pay your share of the premium. Because you are no longer eligible for APTC in that month, you are required to pay that money back to the IRS. APTC was not paid after June so your repayment obligation is only for one month.

**14. I enrolled in a health plan through NY State of Health in 2021 and I do not have another source of Minimum Essential Coverage, why did I not qualify for a tax credit?**

The Affordable Care Act (ACA) specifies that health insurance is considered affordable when it costs no more than a certain percentage of an individual's or family's income. The amount of tax credit that an individual or family can receive is based on two factors: household income and the cost of the Second Lowest Cost Silver Plan (SLCSP) in the county where they live. If the SLCSP costs more than the certain percentage of household income, the individual or family may be eligible for the PTC. If the SLCSP costs less than the specified percentage, the individual or family is not eligible for the PTC because the coverage is already affordable.

Table 2 in the instructions for Form 8962 lists the maximum percentage of income that an individual or family would pay, based on their income, for the SLCSP in their county.

**15. The information on my Form 1095-A doesn't look correct. How can I get it changed?**

Please review the other FAQs to see if they help you understand the information that is on your Form 1095-A. If these FAQs do not resolve your question, please call NY State of Health at 1-855-766-7860 for assistance.

**16. I received a corrected 1095-A from NY State of Health. Do I have to refile my taxes?**

NY State of Health cannot offer tax advice. Please visit [www.irs.gov](http://www.irs.gov) for more information about your question or discuss your circumstances with your tax advisor.

**17. I completed my 2021 NY State of Health application based on the information I had about my income at the time I applied for coverage. When I completed my 2021 tax return, it indicated that I had a higher income than I had expected and that I was eligible for a lower amount of tax credits. Will I have to pay back the extra tax credits? Is there a limit on the amount I have to repay?**

If your actual income in 2021 was higher than the amount of income you reported to NY State of Health for 2021, and if you used some or all of the tax credits you were eligible for, the IRS may recover some or all of the excess amount you received when you calculate your tax refund. Depending on your actual income in 2021, there may be a cap on the amount you have to pay back. Please see the instructions for Form 8962 for more information about repayment limitations. You can also visit [www.irs.gov](http://www.irs.gov) for more information.

**18. After completing my 2021 tax return, I owed some tax credits back to the IRS. How do I avoid that next year?**

If you had to pay back tax credits because your actual income was higher than your expected income for 2021, you might consider applying a portion of your maximum tax credits to your premium in 2022 rather than using all of the tax credit for which you are eligible. Also, if your annual income changes during 2022, make sure to report the change to NY State of Health right away.

The best way to avoid repaying tax credits is to make sure that your estimated income in your NY State of Health application is correct. If your income changes during 2022, make sure you report the change to NY State of Health right away.

**19. After completing my 2021 tax return, my premium tax credit was higher than when I got my NY State of Health eligibility notice. Why is that?**

The amount of your advance premium tax credit was based on your estimated family income and information available at the time you enrolled. When you complete IRS Form 8962, your total premium tax credit will be based on your actual income and the cost of the second lowest cost silver plan in the county where you live. If your total premium tax credit from IRS Form 8962 is more than your advance premium tax credit, you might get more financial help in the form of a larger refund or lower taxes.

**20. If I had to pay back some tax credits to the IRS, do I also have to pay back tax credits to my health plan?**

No. You are required to reconcile your tax credits with the IRS. You do not reconcile your tax credits with your health plan.

**21. I was enrolled in a NY State of Health plan with Cost Sharing Reductions (CSRs). Do I have to reconcile the CSR benefits when I file my taxes?**

No. CSRs do not get reconciled.

**22. I do not agree with NY State of Health about the amount of APTC I was eligible to receive in 2021. Can I file an appeal with NY State of Health?**

Eligibility determinations, including the amount of APTC that someone is eligible for, can be appealed within 60 days from the date of the determination. This means that most APTC eligibility decisions cannot be appealed by the time you receive the Form 1095-A.

However, if you used APTC during 2021, you are required to reconcile on your federal tax return the amount of APTC you used with the amount you were eligible for. Rather than filing an appeal with NY State of Health for your 2021 APTC eligibility, completing your tax return will ensure that you get all of the tax credits you are eligible for.

**23. I disagree with the information on my Form 1095-A. Can I file an appeal?**

The Form 1095-A is not appealable.

Please review the other FAQ to see if they help you understand the information that is on your Form 1095-A. If these FAQ do not resolve your question, please call NY State of Health at 1-855-766-7860 for assistance.

**24. Where can I get help filing my taxes?**

You can get assistance from your own tax advisor or preparer. You can also get help from the IRS at [www.irs.gov](http://www.irs.gov) or by calling the IRS at (800) 829-1040, Monday through Friday from 7:00am-7:00pm. The IRS website offers “Help and Resources” for those who need it. Help includes “Local Taxpayer Advocates” and “Low Income Tax Payer Clinics.”



Free tax assistance is also available through local Volunteer Income Tax Assistance sites (VITA) for taxpayers who generally make less than \$57,000, or have disabilities, or are limited English speakers or are elderly. For more information call (800)-906-9887 or visit [www.irs.gov/Individuals/Free-Tax-Return-Preparation-for-You-by-Volunteers](http://www.irs.gov/Individuals/Free-Tax-Return-Preparation-for-You-by-Volunteers)

## **25. Do I have to file taxes for 2021?**

If you were enrolled for one or more months with tax credits, you are required to file taxes. You will not be able to use the short forms such as Form 1040EZ. You will have to use one of the longer forms, such as Form 1040 or Form 1040A. You must also file Form 8962 with your tax return. If you need assistance with these forms, please visit [www.irs.gov](http://www.irs.gov) for more information.

If you were enrolled without tax credits, please visit [www.irs.gov](http://www.irs.gov) for more information.

## **26. Why did I receive a 1095 form from somewhere other than NY State of Health?**

Separate Form 1095s are generated for each type of health insurance in which consumers were enrolled in 2021. The three types of 1095 forms are 1095-A, 1095-B and 1095-C.

The Form 1095-A is generated and sent to anyone that was enrolled in a QHP (with or without a tax credit) in the Marketplace at some point in 2021.

The Form 1095-B reflects enrollment in Medicaid, Child Health Plus, the Essential Plan, Medicare, or Tricare at some point in 2021. Note that Medicare and Tricare are federal government-sponsored programs and NYS Department of Health does not generate or issue 1095-B forms for those programs. The Form 1095-B can be generated and mailed upon request for anyone who was enrolled in Medicaid, Child Health Plus or Essential Plan. To request a copy of your 1095-B, call 1-800-541-2831. Health plans can send the Form 1095-B upon request directly to consumers who were enrolled in Catastrophic plans, purchased their plan directly from the insurer, or had coverage through the Small Business Marketplace.

The Form 1095-C is sent by applicable large employers (ALEs) who are subject to the shared responsibility provisions of the Affordable Care Act. An ALE is an employer that employed an average of at least 50 full time employees (including full-time equivalent employees) during the calendar year.

If you have questions about your 1095 forms, please call the phone numbers listed on those forms.

## **27. My spouse was the primary account holder but is now deceased. How can I get access to their Form 1095-A in order to file my taxes?**

For spouses who file their taxes jointly, we can provide the Form 1095-A to the surviving spouse if he/she is listed on the Form 1095-A. Please contact NY State of Health at 1-855-766-7860 for assistance.

**28. I am trying to access the Form 1095-A of someone who is deceased. He/she was not my spouse and I am not listed on the Form 1095-A as the surviving spouse.**

You must make the request for the Form 1095-A in writing with a letter to NY State of Health. This letter must include copies of the court documents that name the executor or administrator for the estate of the deceased person. These court documents are often called Letters Testamentary or Letters of Administration. You can consult a lawyer if you have questions about how to obtain these documents. Once received, NY State of Health will provide the Form 1095-A to the person named in the documents as executor or administrator.

Note that even if you have Power of Attorney for the deceased person, you must still provide the written request and court documents outlined above in order to obtain the Form 1095-A. For more information, please contact NY State of Health at 1-855-766-7860.

**29. I got a 12C letter from the IRS about the Premium Tax Credit. What should I do with this letter?**

The IRS sent you this letter because NY State of Health notified them that advance payments of the premium tax credit were made on your behalf to your or your family's insurance company last year. Further, you did not reconcile the advance payments of the premium tax credit using Form 8962 when you filed your 2021 taxes.

You are obligated to respond to the letter, even if you disagree with the information in it. Follow the instructions in the letter and include your Form 1095-A and the IRS Form 8962 in your response to the IRS. NY State of Health cannot answer questions about the Form 8962 or the tax filling process; you should consult a tax preparer or contact the IRS if you have questions. Please note that you must respond to the letter even if you were not enrolled in health insurance through the Marketplace at all.

**FAQ about the American Rescue Plan (ARP)**

Under the American Rescue Plan enacted in March of 2021, existing NYSOH enrollees received larger tax credits, higher income New Yorkers became eligible for APTC for the first time ever and consumers who received Unemployment Compensation for at least one week in 2021 were eligible to receive the maximum amount of premium tax

credit assistance to help lower monthly premium costs. Changes in coverage and updated tax credits are reflected on the consumers 1095A's for all applicable months.

**Q: I was already enrolled in a health plan through NY State of Health and received financial assistance to lower my monthly premium, under the American Rescue Plan I received a Higher Tax credit, how did this impact my Form 1095-A?**

**A:** Under the American Rescue Plan enacted in March of 2021, low and moderate-income individuals (income up to \$51,040 for an individual and \$104,800 for a family of four) who were previously eligible for tax credits became eligible for higher tax credits. Increasing your tax credit amount lowered your premium.

Starting in June 2021, NY State of Health applied these higher tax credits to current enrollees without requiring any action by the enrollee.

Higher Tax credits are reflected on the Form 1095-A for months beginning June unless you chose to opt-out of them.

**Q: I enrolled in a health plan through NY State of Health and paid full price for my premiums. Under ARP I became eligible for financial assistance and received a tax credit, how did this impact my Form 1095-A?**

**A:** The rules for financial assistance changed under the American Rescue Plan to make financial assistance available to higher income levels. If you were told you were not eligible for premium tax credit based on your income, you may have become eligible in early June when the NY State of Health implemented changes that made tax credits available to households with high incomes.

Before the American Rescue Plan, 2021 tax credits were not available to individuals earning more than 400% of FPL (\$51,040 and a family of four earning more than \$104,800). Through the American Rescue Plan, higher income individuals and families were eligible for the tax credits.

This new financial assistance started in June 2021.

If you chose to apply APTC to lower your monthly premium, that should be reflected on your Form 1095-A.

**Q: I received Unemployment Compensation in 2021 and enrolled in a health plan through the NY State of Health, how did this impact my Form 1095-A?**

**A:** If you were eligible for unemployment insurance for at least one week in 2021, under the American Rescue Plan you were able to receive the maximum amount of premium tax credit assistance to help lower your monthly premium costs. For example, if you received unemployment insurance January 1 through January 7, 2021 and you apply for

health insurance April 1, 2021, you qualified for the enhanced subsidy amount because you received unemployment insurance for at least one week in 2021.

If you chose to apply APTC to lower your monthly premium, that should be reflected on your Form 1095-A.

**Q: The enhanced tax credits available through ARPA are retroactive to the beginning of 2021. I do not see this retroactivity reflected in my 1095-A. How can I claim my enhanced tax credits for the full calendar year?**

**A:** Retroactive tax credits back to January will be available for months when you were both eligible and enrolled in a metal level QHP through NY State of Health. Assuming you remain eligible, you can claim the retroactive tax credits when you file your taxes.

### **FAQ about Taxes, Tax Forms, and Exemptions**

If you have questions about any of the following, please visit [www.irs.gov](http://www.irs.gov) for more information or discuss them with your tax advisor. These questions are specific to tax filing and we cannot provide tax advice.

- I didn't apply to NY State of Health for financial assistance. Can you tell me if I can claim the PTC on my tax returns for 2021?
- Who is in my tax family? How do I figure out if someone is a dependent?
- How do I report health care coverage on my tax return?
- How do I report the information from Form 1095-A on my tax return?
- Do I need to complete Form 8962?
- How do I complete Form 8962 on my tax return? How do I use the Form 1095-A to complete my Form 8962? What counts as income? What is my FPL?
- Do I owe money to the IRS? Will I get a refund from the IRS? How much tax credits will I have to repay to the IRS? How much extra in tax credits will I get from the IRS?
- I am self-employed. Can I claim my NY State of Health premiums as a business expense on my tax returns?
- I had to pay back tax credits or got extra tax credits. Should I estimate my income differently for 2022?

- I enrolled in a health plan with financial assistance and my income is now less than 100% FPL. Am I still eligible for the PTC?