ACA Refresher

Presented to the Vermont Tax Practitioners Association by

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Today's Presentation

- Affordability Exemptions
- Premium Tax Credit Eligibility
  - PTC Eligibility Safe Harbors
  - Form 1095 conflicts
- Claiming the PTC: APTC Allocation
- Return Processing & Assessment Issues

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Individual Shared Responsibility

AFFORDABILITY EXEMPTIONS

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Disclaimer

- Form 8965 instructions for 2016 have not yet been released, even in draft form
- Worksheets may change from 2015 versions
- Exemption codes could change

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What are the affordability exemptions?

- Two affordability exemptions can be claimed on the tax return
  - Form 8965 Part III, codes A and G
- Or, an affordability exemption can be requested during open enrollment from the federal Marketplace
  - Form 8965, Part I
  - Need Exemption Certificate Number
  - www.healthcare.gov/exemptions

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Affordability exemptions: basics

- Lowest-cost health insurance premiums > 8% of household income (as indexed)
  - 8.05% for 2015
  - 8.13% for 2016
  - 8.16% for 2017
  - See HHS Notice of Benefit and Payment Parameters, published annually

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Which premiums count?

- If eligible for employer-sponsored insurance (ESI)
  - As an employee: lowest-cost self-only ESI plan > 8% HHI
    - Reg. § 1.5000A-3(e)(3)(ii)(A)
  - As an employee's family member: lowest-cost family ESI plan that would cover the employee and all other nonexempt individuals in the family > 8% HHI
    - Except: if the family member is not in the same tax household as the employee, the offer of ESI is disregarded.
    - Reg. § 1.5000A-3(e)(3)(ii)(B)

Which premiums count? (2)

- If not eligible for ESI
  - Lowest cost bronze plan(s) (after PTCs) for all non-exempt members of the taxpayer's family* costs more than 8% HHI
  - See Form 8965 instructions, Marketplace Coverage Affordability Worksheet

- Individuals with an offer of COBRA or retiree coverage are treated as not eligible for ESI
  - Reg. § 1.5000A-3(e)(3)(i)(C)

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Code G: multiple employees in family

- More than one family member is offered ESI as an employee, and
  - The self-only plans are affordable;
  - No family coverage is affordable; and
  - The combined cost of the self-only ESI policies > 8% HHI
  - 45 C.F.R. § 155.605(e)(2)

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Affordability at Tax Time

- Always looks at annual household income on the tax return
  - No allowance for fluctuations in income during the year
  - No allowance for changes in household or marital status during the year
    - Your client could apply for a general hardship exemption
- Household income is increased by any wages excluded from W-2 box 1 income due to a salary reduction arrangement for ESI

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What is the employee cost of an ESI plan?

- Include amounts paid through a salary reduction arrangement
- Wellness incentives, 1.5000A-3(e)(3)(ii)(F)
- HRA integrated with the ESI plan, 1.5000A-3(e)(3)(ii)(D)
- Employer cafeteria plan contributions, 1.5000A-3(e)(3)(ii)(E)
- Opt-out payments, proposed § 1.5000A-3(e)(3)(ii)(G) (July 8, 2016)
- Notice 2015-87

Projected Affordability

- Taxpayers can **lock it in** - the Marketplace exemption based upon projected income is final; it is not redetermined if there is a change in circumstances
- Open enrollment for 2017 is November 1, 2016 – January 15, 2017
- 45 C.F.R. § 155.605(d)(2)

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Part-year affordability determination

- If the offer of coverage changes
- If the cost of coverage changes

- Annualize the premiums for the part-year period and compare against 8% of household income
- Form 8965 Annualized Premium Worksheet

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Annualized Premium Worksheet

CAUTION

Complete a separate worksheet for each part-year period.

1. Enter the premiums paid during the part-year period	______
2. Enter the number of full months in the part-year period	______
3. Divide line 1 by line 2	______
4. Multiply line 3 by 12.0. This is your annualized premium	______

The Affordability Worksheet

- First, calculate the affordability threshold
- Second, categorize each individual
- Third, determine the individual's cost of coverage for each month
  - If ESI, consider employer arrangements affecting the individual's cost
  - If no ESI, complete the Marketplace worksheet
    - May need to complete more than one

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Safe Harbors

Form 1095 Conflicts

PREMIUM TAX CREDIT ELIGIBILITY

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PTC Eligibility

- Eligibility to purchase a QHP
  - Residence in exchange service area
  - Lawful presence in the U.S.
  - Not incarcerated after disposition of charges
  - 45 C.F.R. § 155.305(a)
- If tp purchased a QHP, go to PTC criteria
  - Income eligibility
  - Filing & dependent status
  - Not eligible for MEC except through the individual market

PTC Eligibility: Income

- Generally, household income on Form 8962 must be between 100% and 400% FPL
  - I.R.C. § 36B(c)(1)(A)
  - No partial-year eligibility if income changed during the year
- No income floor for individuals ineligible for Medicaid due to immigration status
  - I.R.C. § 36B(c)(1)(B)

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PTC Eligibility: Access to MEC

- Generally, an individual claiming PTC cannot be eligible for MEC except through the individual market
  - I.R.C. § 36B(c)(2)
- What is MEC?
  - Most types of insurance, except insurance providing limited coverage
  - I.R.C. § 5000A(f); Reg. § 1.36B-2(c); 45 C.F.R. § 156.602
  - Tricare.mil/aca
  - **If a form 1095 was issued, the insurance is MEC**

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PTC Eligibility: Access to MEC

- Eligibility for employer-sponsored insurance (ESI) is disregarded if
  - The plan does not provide minimum value, or
  - Premiums for self-only coverage > 9.5% of household income (as indexed), or
  - Individual is not in the employee's tax household, and
  - Individual did not enroll in the ESI
  - Reg. §1.36B-2(c)(3), (c)(4)

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PTC Eligibility: Access to MEC

- Several other types of MEC are disregarded if the individual did not enroll:
  - Retiree and post-employment COBRA coverage
  - TRICARE and certain health programs for veterans and related individuals
  - Medicare, if a Part A premium is required
  - Self-funded student health plans
  - Notice 2013-41 and Reg. 1.36B-2(c)
  - *Effectively Representing Your Client Before the IRS* p. 29-21 (2016)

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APTC Safe Harbors

- Income under 100% FPL on tax return
  - Treas. Reg. § 1.36B-2(b)(6)
- Exchange determined tp ineligible for gov't MEC
  - Treas. Reg. § 1.36B-2(c)(2)(v)
- Exchange determined employer insurance unaffordable
  - Treas. Reg. § 1.36B-2(c)(3)(v)(A)(3)

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ACA Information Returns

- Form 1095-A – Individual Marketplaces
- Form 1095-B – MEC Providers
  - Includes health insurance companies, SHOP Marketplaces, government sponsors of insurance, and self-insured small employers
- Form 1095-C – Applicable Large Employers
  - Includes government and non-profit employers
- What if the taxpayer doesn't have documents? See IRS recommended due diligence practices for ACA provisions, on irs.gov's ACA Information Center for Tax Professionals.

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Providers of MEC: Form 1095-B

- IRC § 6055
- Insurance companies, government-sponsored insurance plans, and small employers that self-insure will file Form 1095-B to verify that individuals had Minimum Essential Coverage
- Form 1095-B generally bars an individual from receiving a Premium Tax Credit for the months of coverage shown on the 1095-B

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Large Employers: Form 1095-C

- IRC § 6056 requires every applicable large employer member to file an information return reporting any health care coverage offered to full-time employees for the calendar year.
  - Or reporting that no health care coverage was offered
- Form 1095-C, *Employer Provided Health Insurance Offer and Coverage*
  - Form 1095-C must be filed regardless of whether the ALE offers coverage, or whether the employee enrolls in any coverage offered.

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Large Employers: Form 1095-C (3)

- Information reported on Form 1095-C has multiple implications
  - Used in determining whether an employer shared responsibility payment under I.R.C. § 4980H is owed by the employer
  - Used in determining an employee's eligibility for the Premium Tax Credit
  - Used in determining whether a taxpayer has met the individual shared responsibility requirement

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Employer Reporting

Health Care Coverage	Employer Size	Full-time Employee	Part-time Employee
Self-insured	Large	1095-C, Parts I, II, and III	1095-C if enrolled in coverage
	Small	1095-B if enrolled in coverage	1095-B if enrolled in coverage
Group insurance	Large	1095-C, Parts I and II	Insurer will send 1095-B if enrolled
	Small	Insurer will send 1095-B if enrolled	Insurer will send 1095-B if enrolled
None	Large	1095-C	N/A
	Small	N/A	N/A

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Form 1095-B Conflicts

- Taxpayer receives Forms 1095-B & 1095-A
  - Does the 1095-B report gov’t sponsored coverage?
  - Does the 1095-B report individual market coverage?
  - If neither of the above, the enrolled individual is not eligible for the PTC for months of enrollment shown on Form 1095-B*

Form 1095-C Conflicts

- Taxpayer receives Forms 1095-C & 1095-A
  - If taxpayer was actually enrolled in ESI, not eligible for PTC
  - If 1095-C shows an offer but no enrollment:
    - Is the affordability safe harbor applicable?
    - Check affordability of the ESI.
      - Was there an opt-out payment offered by the employer?
        - Pending new guidance, employee may include in contribution; employer does not have to include on 1095-C for ESRP purposes
      - Is tp's HHI under 100% FPL?

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Form 1095-A Conflicts

- Taxpayer receives multiple Forms 1095-A
  - Is there overlap or conflict?
  - Go back to one or both exchanges and request a correction
- See IRS guidance for tax preparers (handout)

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Form 1095-A Problems

- Multiple months with APTC but no premium
  - This should not generally happen if HHS grace period rules are being followed
  - Issuers are required to return any APTC paid after the first grace period month, if coverage is ultimately terminated
- Proposed regs allow 120 days to pay premiums after an appeal decision permits retroactive enrollment
  - Currently, premiums paid after the unextended return due date don't count for PTC purposes and don't need to be shown on Form 1095-A. Reg. § 1.36B-3(c)(1)(ii).
  - IRS NPRM, Jul. 8, 2016, 81 Fed. Reg. 44,557

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Form 1095-A Problems (2)

- New HHS rule - taxpayers have 60 days after discovering an enrollment error to request a retroactive termination
  - Technical errors prevented coverage or enrollment from being terminated at the taxpayer's request
  - Taxpayer's enrollment was unintentional, inadvertent, or erroneous and was the result of the error or misconduct of an Exchange, HHS, its instrumentalities, or of an entity providing enrollment assistance or conducting enrollment activities
  - Taxpayer was enrolled without their knowledge or consent due to the fraudulent activity of any third party
  - 45 C.F.R. § 155.430(b)(1)(iv)

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IRS Disclosure Policy: Form 1095-A

- IRS disclosure policy is in the IRM
- IRM 21.6.3.4.2.16.4.1 (10-01-2015)
- "Form 1095-A data belonging to one individual may be disclosed to another taxpayer if the use of that data is directly related to resolving the other taxpayer's filing / reporting requirements. However, disclosure of another individual's Form 1095-A data can only be made **after** the filing of Form 1040 / 1040X where the reconciliation of APTC and/or the eligibility or amount of PTC is at issue."

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IRS Disclosure Policy: Form 1095-A (2)

- If a taxpayer meets disclosure criteria, only data from the Form 1095-A can be provided. Data is only provided over the phone, not in writing. Other third-party data available to the IRS will not be disclosed.

- Taxpayers seeking information about their own Form 1095-A will be referred to the Marketplace
  - Exception: if the taxpayer has made multiple attempts to obtain the information from the Marketplace without success

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Claiming the PTC

APTC ALLOCATION RULES

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APTC Allocations and Case Examples

- Income under 100% FPL
- Year of marriage alternate calculations
- APTC allocation rules

Remember:

- PTC = benchmark premium minus expected contribution
  - capped by the taxpayer’s actual gross premiums
  - IRC § 36, Form 8962, Publication 974

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PTC: Taxpayer's income under 100% FPL

- Treas. Reg. § 1.36B-2(b)(6)
- Taxpayer 1 estimated his income to be around 390% FPL during open enrollment. He chose not to receive APTC. At tax time, he discovers that an unexpected business loss brings his MAGI under 100% FPL.
- Taxpayer 2 estimated his income to be around 390% FPL during open enrollment. He chose to receive a small amount of APTC. At tax time, he discovers that an unexpected business loss brings his MAGI under 100% FPL.

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PTC: Taxpayer's income under 100% FPL

- Shouldn't Taxpayer 2 have been on Medicaid?
- Treas. Reg. § 1.36B-2(c)(2)(v)
- Taxpayer 3 enrolled with VHC, estimating income at 150% FPL, and received APTC. At the end of the year, he discovers that his actual MAGI was under 100% FPL.
  - VHC found Taxpayer 3 ineligible for Medicaid as part of its APTC eligibility decision. Therefore, under the regulation, Taxpayer 3 is treated for PTC purposes as if he were ineligible for Medicaid.

Changes in Marital Status – General Rule

- Treas. Reg. § 1.36B-4(b)(1)
- Use the benchmark for your marital status on the first day of each month
- The expected contribution is determined using your household income and family size at the end of the year

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Spouses marry during the tax year

- Optional alternative reconciliation calculation
  - Unmarried at beginning of year, married at year end, and at least one spouse received APTC
  - Treas. Reg. § 1.36B-4(b)(2)
- Cannot be used to increase the PTC calculated under the general rule. Can be used to lower excess APTC.
- Compute PTC separately for married and unmarried months
  - For unmarried months
    - Each spouse is allocated 50% of household income
    - Family size is the pre-marriage family size, except that dependents may be allocated as agreed

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Four APTC Allocation Situations

- Spouses divorce during the year
- Spouses file separate returns after receiving APTC as one tax household
- Health plan covers more than one tax household (at enrollment)
- The “shifting enrollee” – enrolled by one taxpayer but claimed by another

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Spouses divorce during the tax year

- Treas. Reg. § 1.36B-4T(b)(3)
- Taxpayers who are married during the year, legally divorce or separate by the end of the year, and who were enrolled in the same QHP at any time during the year
- Or, taxpayer has a dependent enrolled in the same plan as their former spouse
- Or, taxpayer has a dependent enrolled in the same plan as a dependent of their former spouse

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Spouses divorce during the tax year (2)

- Taxpayers must allocate premiums paid, APTC, and benchmark premiums
- One percentage is applied to all 3 allocated items
- Can agree on a percentage, or it's 50% by default
- If the plan covers a time period during which only one taxpayer or his or her dependents was enrolled in the plan, then 100% is allocated to that taxpayer.

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Spouses divorce during the tax year (3)

- It doesn't matter who actually made the premium payments.
- Form 1095-A will be sent to the person identified in VHC records as the tax filer
- The benchmark premiums are allocated whether or not APTC was paid.

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Spouses file separate tax returns

- Spouses told the Marketplace they would file jointly, but end up filing separate returns
  - Married filing separately or head of household
  - Treas. Reg. § 1.36B-4T(b)(4)
- Must allocate any APTC received as married
- If claiming PTC, must allocate premiums
- Benchmark plan premiums are not allocated
  - If claiming PTC, a new benchmark is used
  - Why is this different than for spouses who divorce? The regulations don't give any rationale.

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Spouses file separate tax returns (2)

- Allocation percentage is 50%
  - Taxpayers cannot choose a different figure
  - If the plan covers a time period during which only one taxpayer or his or her dependents was enrolled in the plan, then 100% is allocated to that taxpayer.
- Form 1095-A will be sent to the person identified in exchange records as the tax filer
- Both taxpayers will complete Form 8962 to reconcile APTC
  - Complete Part 4, shared policy allocation, except that the benchmark is not allocated

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Case Example: Separating Spouses

Amelia and Frank

- Example: Amelia, her husband Frank, and their daughter were enrolled in their benchmark family plan from January through April 2015. The premium was $1225.72 per month, reduced by $628 per month of APTC.
- The family's income will be $75,000 in 2015, of which $48,000 is Amelia's income and $27,000 is Frank's income.
- In March, Frank moved out and filed for divorce.
- As of May 1, Amelia and Frank each switched to a benchmark single plan, without APTC, and their daughter moved to Dr. Dynasaur.

Case Example: Separating Spouses (2)

Amelia and Frank

- Amelia and Frank only need to worry about the allocation rules for January through April, when they had the same health insurance plan.
- In this situation, reconciliation occurs on a monthly basis.
  - See, IRS Form 8962 and Instructions.
- Amelia and Frank's marital status on 12/31/15 determines the allocation rules that apply, and it also affects the taxpayers' PTC eligibility for May–December.

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Case Example: Separating Spouses (3)

Amelia and Frank

- <u>If Amelia and Frank are still married on 12/31, and do not file a joint return</u>, the allocation rules in Treas. Reg. § 1.36B-4T(b)(4) will apply.
- The allocation percentage is 50% to each spouse; the spouses cannot choose a different percentage. This percentage applies to the APTC received and the premiums paid for the family plan. The benchmark is not allocated.

Case Example: Separating Spouses (4)

Taxpayers' Options, if Still Married on 12/31/15 Excess APTC or Additional PTC shown on Form 1040			
		Amelia	**Frank**
MFJ	Jan-Apr	No add'l PTC or excess APTC	No add'l PTC or excess APTC
	May-Dec	$2199.20 (joint) PTC	$2199.20 (joint) PTC
HOH / MFS	Jan-Apr	$581.88 add'l PTC	$1,256 excess APTC
	May-Dec	$243.44 PTC	0; ineligible

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Case Example: Separating Spouses (5)

Amelia and Frank

- If Amelia and Frank are divorced on 12/31, the allocation rules in Treas. Reg. § 1.36B-4T(b)(3) will apply.
- Amelia and Frank can agree on any allocation percentage between 0 and 100. If they cannot agree, the allocation will be 50%. One allocation percentage must be applied to the premiums paid, the APTC, and the benchmark premium used by the exchange to calculate the family's APTC for January through April.

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Case Example: Separating Spouses (6)

Taxpayers' Options, if Divorced on 12/31/15 Excess APTC or Additional PTC shown on Form 1040			
		Amelia	**Frank**
Default Allocation	Jan-Apr	$334.16 excess	$526.73 additional
	May-Dec	$243.44	$1965.20
67-33% Allocation	Jan-Apr	$72.28 additional	$140.28 additional
	May-Dec	$243.44	$1965.20

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Case Example: Separating Spouses (7)

- The timing of the divorce matters most for Frank. Frank is eligible for significant PTC if he can file as single. If he is still married, however, and Amelia will not file jointly, Frank will not be eligible for any PTC, and he will need to repay 50% of the APTC the family received for January through April 2015.
- The 50% default percentage is likely to feel unfair to Amelia. The allocation rules do not take into account the fact that Amelia paid all of the family plan premiums, or that Amelia paid over half of her daughter's support for the year.

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Plan Covers Multiple Tax Families

- Two taxpayers enroll in one plan without representing that they are in the same tax household
  - A young adult age 24, who is not a dependent, enrolls in her parents' plan
  - The Marketplace determines eligibility for subsidies separately for each tax household
  - If APTC was paid, each taxpayer receives a separate Form 1095-A with all items already allocated
  - If APTC was not paid, the Marketplace may send a joint Form 1095-A
  - Reg. § 1.36B-3(h)

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Shifting Enrollee Allocation

- "Shifting enrollee" – A dependent enrolled by one taxpayer but properly claimed by another.
  - Treas. Reg. § 1.36B-4T(a)(1)(ii)(B).
  - This rule is not limited to parents and children

- Example: One parent enrolled the child in coverage, but the other parent ends up claiming the child

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Shifting Enrollee Allocation (2)

- Premiums paid must be allocated between the taxpayers
- If APTC was paid, APTC and benchmark premiums are also allocated
- One percentage is applied to all 3 allocated items
  - The parents can pick any allocation percentage
  - If the parents don't agree, allocation percentage is # of shifting enrollees claimed by claiming parent ÷ # of individuals enrolled in the QHP with the shifting enrollees

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Example: Shifting Enrollee Allocation

- Jane enrolls in a QHP with her 3 children and receives APTC. At tax time, one of the children is properly claimed as a dependent by his father John.
  - Perhaps the family court ordered Jane to sign form 8332
- If Jane and John can't agree on an allocation percentage, it will be 25%.
  - One shifting enrollee divided by 4 people on that enrollee's health plan

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Example: Shifting Enrollee Allocation (2)

- It doesn't matter who actually paid the premiums. If John is entitled to claim one child's dependency exemption, John is allocated 25% of the premiums that Jane paid.
- John must reconcile 25% of the advance premium tax credit payments paid towards Jane's plan.
- The benchmark is only allocated if APTC was paid.

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Example: Shifting Enrollee Allocation (3)

- The Form 1095-A will come to Jane
- The instructions encourage Jane to give a copy to John
- Can Jane redact her address or other information?

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Example: Shifting Enrollee Allocation (4)

- John and Jane could both claim a PTC on their separate returns, if they are unmarried
- Both would fill out Form 8962, Part 4, Shared Policy Allocation
- If John had his own QHP during 2015, he would add his 1095-A amounts to the allocated amounts for his child. See Form 8962, line 34.

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APTC Allocation Rules

	What is allocated?	Can tps choose an allocation percentage?	Default allocation	Legal Citation	Form 8962 Allocation Situation
Divorce	• Premiums paid • APTC • Benchmark premiums	Yes. Taxpayers may agree on any percentage.	50% (or 100%)	Temp. Treas. Reg. § 1.36B-4T(b)(3)	1
Separate tax returns	• Premiums paid • APTC	No.	50% (or 100%)	Temp. Treas. Reg. § 1.36B-4T(b)(4)	2
Separate tax households; no APTC paid	• Premiums paid, if claiming a PTC	No.	Ratio of enrollees' benchmark premiums	Treas. Reg. § 1.36B-3(h)	3
Shifting enrollee	• Premiums paid • APTC • Benchmark premiums	Yes. Taxpayers may agree on any percentage.	# of shifting enrollees claimed by claiming tp -divided by- # of people enrolled in the QHP with the shifting enrollee(s)	Temp. Treas. Reg. § 1.36B-4T(a)(1)(ii)(B)	4

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Premium Tax Credit

RETURN PROCESSING AND ASSESSMENT ISSUES

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September 19, 2016

PTC Assessment and Collection

- The PTC is treated for assessment and collection purposes like other refundable credits
  - Anyone who receives advance payments of the PTC (APTC) must file a tax return to reconcile the advance payments with the PTC actually due to the taxpayer. Treas. Reg. § 1.36B-4.
  - Excess advance payments are treated as additional income tax liability. I.R.C. § 36B(f)(2); Treas. Reg. § 1.36B-4(a)(1)(i).
- Deficiency procedures apply under IRC § 6211(b)(4)

Return Processing & the PTC

- When a tax return is filed with Form 8962, IRS Submission Processing checks for mismatches between the return and 3rd party data for premium(s), SLCSP(s) and APTC amounts.
- In addition, all tax returns are checked with the ACA Verification Service to verify if the taxpayer received APTC and reconciled the advance payment.
  - ACA Verification Service is Account Management's access to the HHS Coverage Data Repository
- IRM 21.6.3.4.2.16.3 (10-01-2015)

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Return Processing & the PTC (2)

- Math error authority is limited for the PTC
  - For PTC math error conditions, see IRM 21.6.3.4.2.16.3.1 (06-03-2015)
  - There is no math error to correct third-party data match issues
- To address this, IRS is using Letter 12C – "we need more information to process your tax return"
- The return is not processed and no refund is issued if Letter 12C goes out

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IRS Letter 12C

- In order for the tax return to be processed, the taxpayer is asked to submit:
  - Form 1095-A
  - Form 8962
  - Corrected Form 1040, page 2, signed and dated
- Documents may be faxed or mailed
- 20 day deadline is given; it will be extended if tp requests more time

IRS Letter 12C (2)

- Taxpayers properly allocated zero APTC
  - Provide proof that the other taxpayer(s) have reconciled 100% of the APTC on Form 1095-A
- Taxpayers who did not receive APTC but are claiming a PTC
  - Forms 1095-A don't have to include benchmark plan information if no APTC was paid; this has caused IRS and taxpayers some difficulty
  - Examiners are asking for documentation of premium payments even if taxpayer provides Form 1095-A

Two Paths Forward After Letter 12C

- IRM 21.6.3.4.2.16.3 (10-01-2015)
  - When 3rd party data discrepancies exist, in most instances Submission Processing will send Letter 12C to try to resolve the discrepancy.
  - If the discrepancy is resolved or below tolerance, the return continues through processing.
  - If the discrepancy cannot be resolved and is above tolerance, the return is processed as filed, the refund is frozen or partially frozen, and the return is referred to Compliance.

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PTC Referral to Compliance

- There will be months of delays if the return is referred to Compliance
  - Taxpayer can file Form 1040X rather than wait for Compliance/Exams to look at their documents
  - Consider the likely need for an appeal when deciding between 1040X and waiting for an examiner to be assigned
    - There are no Tax Court appeal rights from amended return denials
    - A Federal District Court refund suit is available if the 1040X claims a refund, but that is a less taxpayer-friendly process than Tax Court

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TAS Systemic Advocacy

- Problems that affect more than one taxpayer can be reported to SAMS
- TAS has an ACA response team that reviews all ACA-related submissions
- Go to irs.gov and enter SAMS in the search box

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Questions?

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