

New Jersey Health Insurance Market Preservation Act

The New Jersey Health Insurance Market Preservation Act (“the Act”) is a continuation of the federal Affordable Care Act (ACA) provision, requiring every New Jersey resident to obtain health insurance, have a valid exemption, or make a Shared Responsibility Payment.

Starting with Tax Year 2019, the Act requires third-party reporting to verify health coverage information supplied by individual payers of New Jersey’s Income Tax. As such, **employers must:**

- By March 31, 2022, transmit 1095 health coverage forms to the New Jersey Division of Taxation. By March 2, 2022, provide a 1095 form for each primary enrollee who was a New Jersey resident and to whom the filer provided minimum essential coverage in all or part of 2021. This applies to both part-year and full-year New Jersey residents. A part-year resident is a primary enrollee who was domiciled in New Jersey for at least 15 days in any month.
- Ensure that New Jersey receives the appropriate NJ-1095, 1095-B or 1095-C forms. The State currently expects to accept NJ-1095 forms, fully completed federal 1095-B and 1095-C forms, and/or 1095-C forms with parts I and III completed.
- Ensure that each primary enrollee who was a New Jersey resident or part-year New Jersey resident in 2021 receives at least one 1095 form that includes health coverage information. You do not have to send separate 1095 forms to spouses, dependents, or adult children of primary enrollees.
- Meet the March 2, 2022 deadline for sending 1095s to primary enrollees. No deadline extension is expected.

PLEASE NOTE:

New Jersey does not follow all IRS practices on 1095-B distribution. The IRS allows some coverage providers to notify primary enrollees that a 1095-B form is available if they request it. In contrast, New Jersey requires that a 1095 form be sent to each primary enrollee.

New Jersey 1095-C requirements differ from Federal Requirements. 1095-C forms with only parts I and II completed will not meet any New Jersey filing requirements. You should transmit these forms only if you cannot separate them from a file that includes other forms that do meet filing requirements.

Data must be submitted to New Jersey electronically. There is no paper submission option. For additional information please visit:

<https://nj.gov/treasury/njhealthinsurancemandate/employers.shtml>

If you are required to submit a correction file to the IRS, New Jersey will also require you to submit the correction file.

#####