

Request for Records Disposition Authority

Records Schedule Number DAA-0058-2021-0002

Schedule Status Approved

Agency or Establishment Internal Revenue Service

Record Group / Scheduling Group Records of the Internal Revenue Service

Records Schedule applies to Major Subdivision

Major Subdivision Large Business & International (LB&I)

Schedule Subject Affordable Care Act (ACA) Insurance Provider Fee (IPF)

Internal agency concurrences will be provided No

Background Information

Beginning in 2014, Section 9010 of the Affordable Care Act (ACA) imposed an annual, nondeductible fee on the health insurance sector to fund the state and federal ACA marketplaces, allocated across the industry according to market share. Entities providing health insurance for any U.S. health risk (covered entity) are required to pay a portion of an aggregate annual fee. This health insurance providers fee, which is treated as an excise tax, is required to be paid by September 30 of each calendar year. The first fees were due September 30, 2014.

The IPF application was developed to help IRS compute each covered entity's share of the fee based on the covered entity's "net written premiums with respect to health insurance" in the preceding calendar year, in proportion to the total net health insurance premiums of all covered entities during the preceding calendar year. There is a percentage scale that is to be used in determining the fees, such that if a covered entity's net written premiums are not more than \$25 million, no fee will be assessed. Payment is required no later than September 30 of each year. There was a moratorium for the fee in 2017. The amount of the fee for the 2018 fee year was \$14.3 billion. There was a suspension of the fee for 2019. The 2020 Applicable Amount is \$15,522,820,037. The fee has been repealed for calendar years beginning after December 31, 2020 (2021 fee year and beyond).

Covered entities must annually report their net premiums written on Form 8963 (Report of Health Insurance Provider Information). Form 8963 is considered an "information report" not an information return or tax return. The actual fee amount cannot be determined by the filer because the fee is allocated to each filer based on information

provided by all filers. One distinction between a tax return and the report required by section 9010 is that filing a valid tax return starts the period of limitations on assessment and collection in section 6501 of the Code. Since the section 9010 report is not a tax return, and section 6501 applies to tax returns, section 6501 does not limit the period of assessment for the section 9010 fee. IPF payments are due by statute on or before September 30 of the fee year.

The proposed system disposition has been decided in line with associated tax administration processes. The Assessment Statute (of limitations) Expiration Date (ASED) is three (3) years from the assessment date, which is September 30th of each year, and the Collections Statute Expiration Date (CSED) is ten (10) years.

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
1	0	1	0

GAO Approval

Outline of Records Schedule Items for DAA-0058-2021-0002

Sequence Number

1	IPF Case Files (ACA Provision 9010 Site). Disposition Authority Number: DAA-0058-2021-0002-0001
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Records Schedule Items

Sequence Number						
1	<p>IPF Case Files (ACA Provision 9010 Site).</p> <p>Disposition Authority Number DAA-0058-2021-0002-0001</p> <p>The Patient Protection and Affordable Care Act of 2010 established Provision 9010, which imposes an annual fee on each covered entity engaged in the business of providing health insurance for United States health risks. A (SharePoint) folder is created for each individual fee payer (per fee year), and each folder consolidates/maintains all scanned paper correspondence, fee estimate letters, Forms 8963, Forms 8453-R (Electronic Filing Declaration for Form 8963), attachments to Forms 8963, the final fee (demand for payment) letter, and the contact log of all contact and transactions in IPF Application.</p> <p>Final Disposition Temporary</p> <p>Item Status Active</p> <p>Is this item media neutral? Yes</p> <p>Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes</p> <p>Do any of the records covered by this item exist as structured electronic data? Yes</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Manual Citation</th> <th style="width: 50%;">Manual Title</th> </tr> </thead> <tbody> <tr> <td>Document 12990, RCS 26</td> <td>Tax Administration - Large Business and International (LB&I)</td> </tr> </tbody> </table> <p>Disposition Instruction</p> <p>Cutoff Instruction Cut off at assessment date (Sept 30).</p> <p>Retention Period Delete/Destroy 10 years after cutoff.</p> <p>Additional Information</p> <p>GAO Approval Not Required</p>		Manual Citation	Manual Title	Document 12990, RCS 26	Tax Administration - Large Business and International (LB&I)
Manual Citation	Manual Title					
Document 12990, RCS 26	Tax Administration - Large Business and International (LB&I)					

Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

Signatory Information

Date	Action	By	Title	Organization
12/24/2020	Certify	Tracee Taylor	IRS Records Officer	Privacy, Governmental Liaison and Disclosure - Records and Information Management
02/01/2021	Return for Revision	Esther Hidalgo	Archives Specialist	National Archives and Records Administration - ACR1 AC Appraisal Team 1
03/02/2021	Submit For Certification	Tracee Taylor	IRS Records Officer	Privacy, Governmental Liaison and Disclosure - Records and Information Management
03/02/2021	Certify	Tracee Taylor	IRS Records Officer	Privacy, Governmental Liaison and Disclosure - Records and Information Management
06/30/2021	Submit for Concurrence	Esther Hidalgo	Archives Specialist	National Archives and Records Administration - ACR1 AC Appraisal Team 1
07/09/2021	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
07/13/2021	Concur	Laurence Brewer	Chief Records Officer	National Records and Archives Administration - National Records and Archives Administration
07/13/2021	Approve	David Ferriero	Archivist of the United States	Office of the Archivist - Office of the Archivist