

From: Joe Tillison [REDACTED]
Sent: Thursday, September 7, 2023 4:05 PM
To: Info Request-Board; [REDACTED]
Subject: Public Comment and Appeal for Help

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Dear Ms. Meinhold, Hon. Susan Lontine, and C4HCO board,

I'm writing because I've reached the limit of my patience after trying for the last 7 months to get resolution from C4HCO. I won't include personal information here because I understand this memo will become public information. But I'm happy to share specific details privately if you'd like to contact me directly.

My issue with C4HCO is that they reported incorrect information on my tax forms 1095-A. This incorrect reporting prevented me from filing my taxes in April, for which I am due a large refund. I first contacted C4HCO in February to request corrected forms and after delay upon delay it's now September with the October filing deadline looming. There are now two issues – I still need help getting the original problem resolved, and I also want to protest to the board and the legislative oversight committee about the absurdity of having to wait this long for a resolution.

At the root of the issue is the way the SLCSF premium is reported in Part III, column B on form 1095-A. My wife moved to Medicare partway through the year, so C4HCO sent two form 1095-A (which is appropriate). However, rather than include the combined SLCSF in column B on both forms, as required by the IRS, C4HCO split the amount between the two forms. This causes the SLCSF to be understated when reported on IRS form 8962. The IRS instructions on this are very clear:

Column (b). Enter on lines 12 through 23, column (b), the amount of the monthly applicable SLCSF premium reported on Form 1095-A, lines 21 through 32, column B, for the corresponding month. If you have more than one Form 1095-A showing coverage in a particular month, use the following rules to determine the amounts to enter on Form 8962, column (b), for that month.

- If individuals in your coverage family enrolled in separate policies in the same state, you will receive a Form 1095-A for each policy. The Marketplace should have entered the same SLCSF premium, which applies to all members of your coverage family for coverage that month, on each Form 1095-A. Enter the amount from column B of **only one** Form 1095-A—do not add the amounts from each form. Enter this amount on Form 8962, lines 12 through 23, column (b). See [Marriage in 2022](#), later, if you got married during 2022.
- If individuals in your coverage family enrolled in qualified health plans in different states, add together the amounts from column B of Forms 1095-A from each state and enter the total on Form 8962, lines 12 through 23, column (b).
- If you completed [Part IV—Allocation of Policy Amounts](#) for any Form 1095-A, add the amounts of applicable SLCSF

affecting a particular month, add the amounts together for that month and enter the total on the appropriate line on column (f).

If you completed [Part IV—Allocation of Policy Amounts](#) for any Form 1095-A, include only the amounts of the APTC allocated to you, if any, using the allocation procedure you entered on Form 8962, lines 30 through 33, column (f). Do not combine that amount with the amounts of the APTC for other policies that you did not allocate.

Not an applicable taxpayer. If you are not an applicable taxpayer because you are using filing status married separately and [Exception 2—Victim of domestic abuse or spousal abandonment](#), earlier, does not apply to you, you must repay all of the total APTC entered on lines 12 through 23, column (f) (unless the alternative calculation for year-round rule applies to you and you are able to reduce your repayment amount, or you are filing married filing separately and the repayment limitation applies). To complete the rest of the form, enter -0- on line 24, and enter the total of lines 12 through 23, column (f), on lines 25 and 27. Then complete lines

Clearly, the way C4HCO split the SLCSP amounts between two form 1095s is incorrect. Also note the explicit instruction to the taxpayer NOT to combine the amounts from the two forms. I've called the IRS directly, and they confirm both of these points. As a side note, tax software will also not combine these amounts (because they are following the letter of the instructions).

After waiting 4 months, I was told by C4HCO to just combine the amounts myself, and that they would not provide corrected forms. Okay, but now the records provided to the IRS by C4HCO won't match my tax filing, and they will withhold my refund (see the Q&A at <https://www.irs.gov/affordable-care-act/individuals-and-families/health-insurance-marketplace-statements>). I have requested an escalation three times with C4HCO and three times been told they will not provide corrected forms. It took 7 months for this! I've also asked multiple times to speak with someone at C4HCO who understands why the form 1095s are generated this way and was told that's not possible. I was told instead to consult a tax professional, but I'm sure you'll agree that no tax professional has the ability to override the instructions provided by the IRS. It's just a convenient deflection to avoid taking responsibility.

As I stated, it is my contention that the way CH4CO is reporting SLCSP on the form 1095-A is clearly incorrect. I still need this fixed for me personally, but it's also important that C4HCO makes the needed changes in their reporting tool. Thus my appeal for help.

Lastly, to the second issue, it's beyond absurd that any C4HCO customer would have to wait this long and still have no resolution. To Hon. Ms. Lontine, surely this cannot be acceptable performance for a state-run agency. It seems to be a simple problem with a simple solution, but C4HCO obstinately refuses to acknowledge or fix it. And the way anyone with detailed knowledge who might even just debate it are completely inaccessible behind a layer of consumer-facing agents, who have no ability to change it, just push frustrations through the roof. I believe that I've been patient and courteous,, but my patience has run out. There simply has to be a better way to escalate issues like this when the front-line agents can't help.