

# LEGAL UPDATE

## PCORI Fees Due Aug. 1, 2022

The Affordable Care Act (ACA) requires health insurance issuers and self-insured plan sponsors to pay Patient-Centered Outcomes Research Institute fees (PCORI fees). The fees are reported and paid annually using [IRS Form 720](#) (Quarterly Federal Excise Tax Return).

Issuers and plan sponsors are generally required to pay the PCORI fees annually by July 31 of each year. However, the PCORI fee payment for plan years ending in 2021 is due **Aug. 1, 2022**, since July 31, 2022, is a Sunday.

### Overview of the PCORI Fees

The PCORI fees were scheduled to expire for plan years ending on or after Oct. 1, 2019. However, a federal [spending bill](#) enacted at the end of 2019 **extended the PCORI fees for an additional 10 years**. As a result, these fees will continue to apply for the **2020-2029 fiscal years**.

### Calculating the PCORI Fee Payment

In general, the PCORI fees are assessed, collected and enforced like taxes. The PCORI fee applies separately to “specified health insurance policies” and “applicable self-insured health plans,” and is based on the average number of lives covered under the plan or policy.

Using Part II, Number 133 of Form 720, issuers and plan sponsors are required to report the average number of lives covered under the plan separately for specified health insurance policies and applicable self-insured health plans. That number is then multiplied by the applicable rate for that tax year (**\$2.66** for plan years ending on or after Oct. 1, 2020, and before Oct. 1, 2021). The fees for specified health insurance policies and applicable self-insured health plans are then combined to equal the total tax owed.

## Highlights

### PCORI Fee Deadline

The PCORI fee payment for plan years ending in 2021 is due Aug. 1, 2022.

### IRS Form 720

Issuers and plan sponsors must report and pay the PCORI fees annually on IRS Form 720 (Quarterly Federal Excise Tax Return).

Issuers or plan sponsors that file Form 720 only to report the PCORI fee do not need to file Form 720 for the first, third or fourth quarter of the year.

***The PCORI fee payment for plan years ending in 2021 is due Aug. 1, 2022, since July 31, 2022, is a Sunday.***

Provided to you by **Foundation Benefits**

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# Quarterly Federal Excise Tax Return

OMB No. 1545-0023

▶ See the Instructions for Form 720.

▶ Go to [www.irs.gov/Form720](http://www.irs.gov/Form720) for instructions and the latest information.

Check here if:

- Final return  
 Address change

Name  Number, street, and room or suite no. (If you have a P.O. box, see the instructions.)  City or town, state or province, country, and ZIP or foreign postal code	Quarter ending  Employer identification number
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**FOR IRS USE ONLY**

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**Part I**

IRS No.	Environmental Taxes (attach Form 6627)	Tax	IRS No.
18	Domestic petroleum oil spill tax		18
21	Imported petroleum products oil spill tax		21
98	Ozone-depleting chemicals (ODCs)		98
19	ODC tax on imported products		19
<b>Communications and Air Transportation Taxes (see instructions)</b>		<b>Tax</b>	
22	Local telephone service and teletypewriter exchange service		22
26	Transportation of persons by air		26
28	Transportation of property by air		28
27	Use of international air travel facilities		27
<b>Fuel Taxes</b>		<b>Tax</b>	
60	(a) Diesel, tax on removal at terminal rack	\$.244	60
	(b) Diesel, tax on taxable events other than removal at terminal rack	.244	
	(c) Diesel, tax on sale or removal of biodiesel mixture (not at terminal rack)	.244	
104	Diesel-water fuel emulsion	.198	104
105	Dyed diesel, LUST tax	.001	105
107	Dyed kerosene, LUST tax	.001	107
119	LUST tax, other exempt removals (see instructions)	.001	119
35	(a) Kerosene, tax on removal at terminal rack (see instructions)	.244	35
	(b) Kerosene, tax on taxable events other than removal at terminal rack	.244	
69	Kerosene for use in aviation (see instructions)	.219	69
77	Kerosene for use in commercial aviation (other than foreign trade)	.044	77
111	Kerosene for use in aviation, LUST tax on nontaxable uses	.001	111
79	Other fuels (see instructions)		79
62	(a) Gasoline, tax on removal at terminal rack	.184	62
	(b) Gasoline, tax on taxable events other than removal at terminal rack	.184	
13	Any liquid fuel used in a fractional ownership program aircraft	.141	13
14	Aviation gasoline	.194	14
112	Liquefied petroleum gas (LPG) (see instructions)	.183	112
118	"P Series" fuels	.184	118
120	Compressed natural gas (CNG) (see instructions)	.183	120
121	Liquefied hydrogen	.184	121
122	Fischer-Tropsch process liquid fuel from coal (including peat)	.244	122
123	Liquid fuel derived from biomass	.244	123
124	Liquefied natural gas (LNG) (see instructions)	.243	124

For Privacy Act and Paperwork Reduction Act Notice, see the separate instructions.

Cat. No. 10175Y

Form **720** (Rev. 6-2022)

IRS No.		Rate	Tax	IRS No.	
33	<b>Retail Tax</b> —Truck, trailer, and semitrailer chassis and bodies, and tractor	12% of sales price		33	
29	<b>Ship Passenger Tax</b> Transportation by water	Number of persons \$3 per person		29	
31	<b>Other Excise Tax</b> Obligations not in registered form	Amount of obligations \$.01		31	
30	<b>Foreign Insurance Taxes</b> —Policies issued by foreign insurers	Premiums paid	Rate	Tax	30
	Casualty insurance and indemnity bonds		\$.04		
	Life insurance, sickness and accident policies, and annuity contracts		.01		
Reinsurance		.01			
<b>Manufacturers Taxes</b>		Number of tons	Sales price		
36	Coal—Underground mined		\$ .50 per ton		36
37			2% of sales price		37
38	Coal—Surface mined		\$ .25 per ton		38
39			2% of sales price		39
108	Taxable tires other than bias ply or super single tires	Number of tires		Tax	108
109	Taxable bias ply or super single tires (other than super single tires designed for steering)				109
113	Taxable tires, super single tires designed for steering				113
40	Gas guzzler tax. Attach Form 6197. Check if one-time filing . . . . . <input type="checkbox"/>				40
97	Vaccines (see instructions)				97
	Reserved for future use	Sales price	2.3% of sales price		
<b>1 Total.</b> Add all amounts in Part I. Complete Schedule A unless one-time filing				\$	

**Part II**

IRS No.	Patient-Centered Outcomes Research Fee (see instructions)	(a) Avg. number of lives covered (see inst.)	(b) Rate for avg. covered life	(c) Fee (see instructions)	Tax	IRS No.
133	Specified health insurance policies					133
	(a) With a policy year ending before October 1, 2021		\$2.66			
	(b) With a policy year ending on or after October 1, 2021, and before October 1, 2022		\$2.79			
	Applicable self-insured health plans					
	(c) With a plan year ending before October 1, 2021		\$2.66			
	(d) With a plan year ending on or after October 1, 2021, and before October 1, 2022		\$2.79			
41	Sport fishing equipment (other than fishing rods and fishing poles)		Rate		Tax	41
110	Fishing rods and fishing poles (limits apply, see instructions)		10% of sales price			110
42	Electric outboard motors		3% of sales price			42
114	Fishing tackle boxes		3% of sales price			114
44	Bows, quivers, broadheads, and points		11% of sales price			44
106	Arrow shafts		\$.55 per shaft			106
140	Indoor tanning services		10% of amount paid			140
64	Inland waterways fuel use tax	Number of gallons	Rate		Tax	64
125	LUST tax on inland waterways fuel use (see instructions)		\$.29			125
51	Section 40 fuels (see instructions)		.001			51
117	Biodiesel sold as but not used as fuel					117
20	<b>Floor Stocks Tax</b> —Ozone-depleting chemicals (floor stocks). Attach Form 6627.					20
<b>2 Total.</b> Add all amounts in Part II				\$		

**Part III**

<b>3</b>	Total tax. Add Part I, line 1, and Part II, line 2 . . . . . ▶			<b>3</b>	
<b>4</b>	Claims (see instructions; complete Schedule C) . . . . . ▶		<b>4</b>		
<b>5</b>	Deposits made for the quarter . . . . . ▶	<b>5</b>			
	<input type="checkbox"/> Check here if you used the safe harbor rule to make your deposits.				
<b>6</b>	Overpayment from previous quarters . . . . . ▶	<b>6</b>			
<b>7</b>	Enter the amount from Form 720-X included on line 6, if any . . . . . ▶	<b>7</b>			
<b>8</b>	Add lines 5 and 6 . . . . . ▶	<b>8</b>			
<b>9</b>	Add lines 4 and 8 . . . . . ▶	<b>9</b>			
<b>10</b>	<b>Balance Due.</b> If line 3 is greater than line 9, enter the difference. Pay the full amount with the return (see instructions) ▶	<b>10</b>			
<b>11</b>	<b>Overpayment.</b> If line 9 is greater than line 3, enter the difference. Check if you want the overpayment: <input type="checkbox"/> <b>Applied to your next return, or</b> <input type="checkbox"/> <b>Refunded to you.</b>	<b>11</b>			

**Third Party Designee** Do you want to allow another person to discuss this return with the IRS (see instructions)?  **Yes.** Complete the following.  **No**

Designee name ▶ \_\_\_\_\_ Phone no. ▶ \_\_\_\_\_ Personal identification number (PIN) ▶

**Sign Here**

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Signature \_\_\_\_\_ Date \_\_\_\_\_ Title \_\_\_\_\_  
 Type or print name below signature. ▶ \_\_\_\_\_ Telephone number ▶ \_\_\_\_\_

**Paid Preparer Use Only**

Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed	PTIN
Firm's name ▶	Firm's EIN ▶			
Firm's address ▶	Phone no.			

**Schedule A Excise Tax Liability** (see instructions)

**Note:** You must complete Schedule A if you have a liability for any tax in Part I of Form 720. Don't complete Schedule A for Part II taxes or for a one-time filing of the gas guzzler tax.

**1 Regular method taxes**

(a) Record of Net Tax Liability	Period			
	1st-15th day		16th-last day	
First month	<b>A</b>		<b>B</b>	
Second month	<b>C</b>		<b>D</b>	
Third month	<b>E</b>		<b>F</b>	
Special rule for September*			<b>G</b>	

(b) Net liability for regular method taxes. Add the amounts for each semimonthly period.

**2 Alternative method taxes** (IRS Nos. 22, 26, 28, and 27)

(a) Record of Taxes Considered as Collected	Period			
	1st-15th day		16th-last day	
First month	<b>M</b>		<b>N</b>	
Second month	<b>O</b>		<b>P</b>	
Third month	<b>Q</b>		<b>R</b>	
Special rule for September*			<b>S</b>	

(b) Alternative method taxes. Add the amounts for each semimonthly period.

\* Complete only as instructed (see instructions).

**Schedule T Two-Party Exchange Information Reporting** (see instructions)

Fuel	Number of gallons
<b>Diesel fuel</b> , gallons received in a two-party exchange within a terminal, included on Form 720, IRS No. 60(a)	
<b>Diesel fuel</b> , gallons delivered in a two-party exchange within a terminal	
<b>Kerosene</b> , gallons received in a two-party exchange within a terminal, included on Form 720, IRS No. 35(a), 69, 77, or 111	
<b>Kerosene</b> , gallons delivered in a two-party exchange within a terminal	
<b>Gasoline</b> , gallons received in a two-party exchange within a terminal, included on Form 720, IRS No. 62(a)	
<b>Gasoline</b> , gallons delivered in a two-party exchange within a terminal	
<b>Aviation gasoline</b> , gallons received in a two-party exchange within a terminal, included on Form 720, IRS No. 14	
<b>Aviation gasoline</b> , gallons delivered in a two-party exchange within a terminal	

**Schedule C Claims**

Month your income tax year ends ►

**• Complete Schedule C for claims *only* if you are reporting liability in Part I or II of Form 720.**

- Attach a statement explaining each claim as required. Include your name and EIN on the statement (see instructions).

**Caution:** Claimant has the name and address of the person(s) who sold the fuel to the claimant, the dates of purchase, and if exported, the required proof of export. For claims on lines 1a and 2b (type of use 13 and 14), 3c, 4b, and 5, claimant hasn't waived the right to make the claim.

<b>1 Nontaxable Use of Gasoline</b>		Note: CRN is credit reference number.		Period of claim ►		
	Type of use	Rate	Gallons	Amount of claim		CRN
a	Gasoline (see <b>Caution</b> above line 1)	\$.183		\$		362
b	Exported (see <b>Caution</b> above line 1)	.184				411

<b>2 Nontaxable Use of Aviation Gasoline</b>		Period of claim ►				
	Type of use	Rate	Gallons	Amount of claim		CRN
a	Used in commercial aviation (other than foreign trade)	\$.15		\$		354
b	Other nontaxable use (see <b>Caution</b> above line 1)	.193				324
c	Exported (see <b>Caution</b> above line 1)	.194				412
d	LUST tax on aviation fuels used in foreign trade	.001				433

<b>3 Nontaxable Use of Undyed Diesel Fuel</b>		Period of claim ►				
Claimant certifies that the diesel fuel did not contain visible evidence of dye.						
<b>Exception.</b> If any of the diesel fuel included in this claim <b>did</b> contain visible evidence of dye, attach a detailed explanation and check here . . . . . ► <input type="checkbox"/>						

	Type of use	Rate	Gallons	Amount of claim		CRN
a	Nontaxable use	\$.243		\$		360
b	Use in trains	.243				353
c	Use in certain intercity and local buses (see <b>Caution</b> above line 1)	.17				350
d	Use on a farm for farming purposes	.243				360
e	Exported (see <b>Caution</b> above line 1)	.244				413

<b>4 Nontaxable Use of Undyed Kerosene (Other Than Kerosene Used in Aviation)</b>		Period of claim ►				
Claimant certifies that the kerosene did not contain visible evidence of dye.						
<b>Exception.</b> If any of the kerosene included in this claim <b>did</b> contain visible evidence of dye, attach a detailed explanation and check here . . . . . ► <input type="checkbox"/>						

<b>Caution:</b> Claims cannot be made on line 4 for kerosene sales from a blocked pump.		Type of use	Rate	Gallons	Amount of claim		CRN
a	Nontaxable use		\$.243		\$		346
b	Use in certain intercity and local buses (see <b>Caution</b> above line 1)		.17				347
c	Use on a farm for farming purposes		.243				346
d	Exported (see <b>Caution</b> above line 1)		.244				414
e	Nontaxable use taxed at \$.044		.043				377
f	Nontaxable use taxed at \$.219		.218				369

<b>5 Kerosene Used in Aviation (see Caution above line 1)</b>		Period of claim ►				
	Type of use	Rate	Gallons	Amount of claim		CRN
a	Kerosene used in commercial aviation (other than foreign trade) taxed at \$.244	\$.200		\$		417
b	Kerosene used in commercial aviation (other than foreign trade) taxed at \$.219	.175				355
c	Nontaxable use (other than use by state or local government) taxed at \$.244	.243				346
d	Nontaxable use (other than use by state or local government) taxed at \$.219	.218				369
e	LUST tax on aviation fuels used in foreign trade	.001				433

**6 Nontaxable Use of Alternative Fuel**

**Caution:** There is a reduced credit rate for use in certain intercity and local buses (type of use 5) (see instructions).

	Type of use	Rate	Gallons, or gasoline or diesel gallon equivalents	Amount of claim	CRN
a	Liquefied petroleum gas (LPG) (see instructions)	\$.183		\$	419
b	"P Series" fuels	.183			420
c	Compressed natural gas (CNG) (see instructions)	.183			421
d	Liquefied hydrogen	.183			422
e	Fischer-Tropsch process liquid fuel from coal (including peat)	.243			423
f	Liquid fuel derived from biomass	.243			424
g	Liquefied natural gas (LNG) (see instructions)	.243			425
h	Liquefied gas derived from biomass	.183			435

**7 Sales by Registered Ultimate Vendors of Undyed Diesel Fuel**

Period of claim ▶ \_\_\_\_\_

Registration number ▶ \_\_\_\_\_

Claimant certifies that it sold the diesel fuel at a tax-excluded price, repaid the amount of tax to the buyer, or has obtained written consent of the buyer to make the claim. Claimant certifies that the diesel fuel didn't contain visible evidence of dye.

**Exception.** If any of the diesel fuel included in this claim **did** contain visible evidence of dye, attach a detailed explanation and check here . . . . . ▶

	Rate	Gallons	Amount of claim	CRN
a	Use by a state or local government	\$.243	\$	360
b	Use in certain intercity and local buses	.17		350

**8 Sales by Registered Ultimate Vendors of Undyed Kerosene (Other Than Kerosene For Use in Aviation)**

Period of claim ▶ \_\_\_\_\_

Registration number ▶ \_\_\_\_\_

Claimant certifies that it sold the kerosene at a tax-excluded price, repaid the amount of tax to the buyer, or has obtained the written consent of the buyer to make the claim. Claimant certifies that the kerosene didn't contain visible evidence of dye.

**Exception.** If any of the kerosene included in this claim **did** contain visible evidence of dye, attach a detailed explanation and check here . . . . . ▶

	Rate	Gallons	Amount of claim	CRN
a	Use by a state or local government	\$.243	\$	346
b	Sales from a blocked pump	.243		
c	Use in certain intercity and local buses	.17		347

**9 Sales by Registered Ultimate Vendors of Kerosene For Use in Aviation**

Registration number ▶ \_\_\_\_\_

- See **Caution** above line 1.
- Claimant sold the kerosene for use in aviation at a tax-excluded price and hasn't collected the amount of tax from the buyer, repaid the amount of tax to the buyer, or has obtained written consent of the buyer to make the claim. See the instructions for additional information to be submitted.

	Type of use	Rate	Gallons	Amount of claim	CRN
a	Use in commercial aviation (other than foreign trade) taxed at \$.219	\$.175		\$	355
b	Use in commercial aviation (other than foreign trade) taxed at \$.244	.200			417
c	Nonexempt use in noncommercial aviation	.025			418
d	Other nontaxable uses taxed at \$.244	.243			346
e	Other nontaxable uses taxed at \$.219	.218			369
f	LUST tax on aviation fuels used in foreign trade	.001			433

**10 Sales by Registered Ultimate Vendors of Gasoline**

Registration number ▶ \_\_\_\_\_

Claimant sold the gasoline at a tax-excluded price and hasn't collected the amount of tax from the buyer, repaid the amount of tax to the buyer, or has obtained written consent of the buyer to take the claim; and obtained an unexpired certificate from the buyer and has no reason to believe any information in the certificate is false. See the instructions for additional information to be submitted.

	Rate	Gallons	Amount of claim	CRN
a	Use by a nonprofit educational organization	\$.183	\$	362
b	Use by a state or local government	.183		

**11 Sales by Registered Ultimate Vendors of Aviation Gasoline** Registration number ►

Claimant sold the aviation gasoline at a tax-excluded price and hasn't collected the amount of tax from the buyer, repaid the amount of tax to the buyer, or has obtained written consent of the buyer to take the claim; and obtained an unexpired certificate from the buyer and has no reason to believe any information in the certificate is false. See the instructions for additional information to be submitted.

	Rate	Gallons	Amount of claim	CRN
a Use by a nonprofit educational organization	\$.193		\$	324
b Use by a state or local government	.193			

**12 Biodiesel or Renewable Diesel Mixture Credit** Period of claim ► Registration number ►

**Biodiesel mixtures.** Claimant produced a mixture by mixing biodiesel with diesel fuel. The biodiesel used to produce the mixture met ASTM D6751 and met EPA's registration requirements for fuels and fuel additives. The mixture was sold by the claimant to any person for use as a fuel or was used as a fuel by the claimant. Claimant has attached the Certificate for Biodiesel and, if applicable, the Statement of Biodiesel Reseller. **Renewable diesel mixtures.** Claimant produced a mixture by mixing renewable diesel with liquid fuel (other than renewable diesel). The renewable diesel used to produce the renewable diesel mixture was derived from biomass, met EPA's registration requirements for fuels and fuel additives, and met ASTM D975, D396, or other equivalent standard approved by the IRS. The mixture was sold by the claimant to any person for use as a fuel or was used as a fuel by the claimant. Claimant has attached the Certificate for Biodiesel and, if applicable, Statement of Biodiesel Reseller, both of which have been edited as discussed in the instructions for line 12. See the instructions for line 12 for information about renewable diesel used in aviation.

	Rate	Gal. of biodiesel or renewable diesel	Amount of claim	CRN
a Biodiesel (other than agri-biodiesel) mixtures	\$1.00		\$	388
b Agri-biodiesel mixtures	1.00			390
c Renewable diesel mixtures	1.00			307

**13 Reserved for future use** Registration number ►

Reserved for future use.

	Rate	Gallons, or gasoline or diesel gallon equivalents (see instructions)	Amount of claim	CRN
a Reserved for future use			\$	
b Reserved for future use				
c Reserved for future use				
d Reserved for future use				
e Reserved for future use				
f Reserved for future use				
g Reserved for future use				
h Reserved for future use				
i Reserved for future use				

Reserved for future use

**14 Other claims.** See the instructions. For lines 14b and 14c, see the **Caution** above line 1 on page 5. Amount of claim CRN

a Section 4051(d) tire credit (tax on vehicle reported on IRS No. 33)		\$		366
b Exported dyed diesel fuel and exported gasoline blendstocks taxed at \$.001				415
c Exported dyed kerosene				416
d Diesel-water fuel emulsion				
e Registered credit card issuers				
		Number of tires	Amount of claim	CRN
f Taxable tires other than bias ply or super single tires			\$	396
g Taxable tires, bias ply or super single tires (other than super single tires designed for steering)				304
h Taxable tires, super single tires designed for steering				305
i				
j				
k				

**15 Total claims.** Add amounts on lines 1 through 14. Enter the result here and on Form 720, Part III, line 4. **15**



# Form 720-V, Payment Voucher

## Purpose of Form

Complete Form 720-V if you're making a payment by check or money order with Form 720, Quarterly Federal Excise Tax Return. We will use the completed voucher to credit your payment more promptly and accurately, and to improve our service to you.

If you have your return prepared by a third party and a payment is required, provide this payment voucher to the return preparer.

Don't file Form 720-V if you're paying the balance due on line 10 of Form 720 using EFTPS.

## Specific Instructions

**Box 1.** If you don't have an EIN, you may apply for one online by visiting [www.irs.gov/EIN](http://www.irs.gov/EIN). You may also apply for an EIN by faxing or mailing Form SS-4, Application for Employer Identification Number, to the IRS. However, if you're making a one-time filing, enter your social security number.

**Box 2.** Enter the amount paid from line 10 of Form 720.

**Box 3.** Darken the circle identifying the quarter for which the payment is made. Darken only one circle.

**Box 4.** Enter your name and address as shown on Form 720.

- Enclose your check or money order made payable to "United States Treasury." Be sure to enter your EIN (SSN for one-time filing), "Form 720," and the tax period on your check or money order. Don't send cash. Don't staple this voucher or your payment to the return (or to each other).

- Detach the completed voucher and send it with your payment and Form 720. See *Where To File* in the Instructions for Form 720.

Form **720-V** (2022)

▼ Detach here and mail with your payment and Form 720. ▼

Form **720-V**  
Department of the Treasury  
Internal Revenue Service

## Payment Voucher

OMB No. 1545-0023

**2022**

► Don't staple or attach this voucher to your payment.

<b>1</b> Enter your employer identification number (EIN). See instructions.		<b>2</b> Enter the amount of your payment. ► Make your check or money order payable to "United States Treasury."		Dollars	Cents
<b>3</b> Tax Period		<b>4</b> Enter your business name (individual name if sole proprietor).			
<input type="radio"/> 1st Quarter	<input type="radio"/> 3rd Quarter	Enter your address.			
<input type="radio"/> 2nd Quarter	<input type="radio"/> 4th Quarter	City or town, state or province, country, and ZIP or foreign postal code			