



Note: *The draft you are looking for begins on the next page.*

Caution: DRAFT—NOT FOR FILING

This is an early release draft of an IRS tax form, instructions, or publication, which the IRS is providing for your information. **Do not file draft forms** and do **not** rely on draft forms, instructions, and publications for filing. We do **not** release draft forms until we believe we have incorporated all changes (except when explicitly stated on this coversheet). However, unexpected issues occasionally arise, or legislation is passed—in this case, we will post a new draft of the form to alert users that changes were made to the previously posted draft. Thus, there are never any changes to the last posted draft of a form and the final revision of the form. Forms and instructions generally are subject to OMB approval before they can be officially released, so we post only drafts of them until they are approved. Drafts of instructions and publications usually have some changes before their final release.

Early release drafts are at [IRS.gov/DraftForms](https://www.irs.gov/DraftForms) and remain there after the final release is posted at [IRS.gov/LatestForms](https://www.irs.gov/LatestForms). All information about all forms, instructions, and pubs is at [IRS.gov/Forms](https://www.irs.gov/Forms).

Almost every form and publication has a page on IRS.gov with a friendly shortcut. For example, the Form 1040 page is at [IRS.gov/Form1040](https://www.irs.gov/Form1040); the Pub. 501 page is at [IRS.gov/Pub501](https://www.irs.gov/Pub501); the Form W-4 page is at [IRS.gov/W4](https://www.irs.gov/W4); and the Schedule A (Form 1040/SR) page is at [IRS.gov/ScheduleA](https://www.irs.gov/ScheduleA). If typing in a link above instead of clicking on it, be sure to type the link into the address bar of your browser, not a Search box.

If you wish, you can submit comments to the IRS about draft or final forms, instructions, or publications at [IRS.gov/FormsComments](https://www.irs.gov/FormsComments). We cannot respond to all comments due to the high volume we receive and may not be able to consider many suggestions until the subsequent revision of the product.

If you have comments on reducing paperwork and respondent (filer) burden, with respect to draft or final forms, please respond to the relevant information collection through the Federal Register process; for more info, click [here](#).



Instructions for Forms 1099-SA and 5498-SA

Distributions From an HSA, Archer MSA, or Medicare Advantage MSA, and HSA, Archer MSA, or Medicare Advantage MSA Information

Section references are to the Internal Revenue Code unless otherwise noted.

Future Developments

For the latest information about developments related to Forms 1099-SA and 5498-SA and their instructions, such as legislation enacted after they were published, go to [IRS.gov/Form1099SA](https://www.irs.gov/Form1099SA) and [IRS.gov/Form5498SA](https://www.irs.gov/Form5498SA).

Reminders

In addition to these specific instructions, you should also use the 2022 General Instructions for Certain Information Returns. Those general instructions include information about the following topics.

- Who must file.
- When and where to file.
- Electronic reporting.
- Corrected and void returns.
- Statements to recipients.
- Taxpayer identification numbers (TINs).
- Backup withholding.
- Penalties.
- Other general topics.

You can get the general instructions from [IRS.gov/1099GeneralInstructions](https://www.irs.gov/1099GeneralInstructions), [IRS.gov/Form1099SA](https://www.irs.gov/Form1099SA), and [IRS.gov/Form5498SA](https://www.irs.gov/Form5498SA).

Continuous-use form and instructions. Form 1099-SA and its instructions are continuous use. Both the form and instructions will be updated as needed. For the most recent version, go to [IRS.gov/Form1099SA](https://www.irs.gov/Form1099SA).

Online fillable forms. Due to the very low volume of paper Forms 1099-SA and 5498-SA received and processed by the IRS each year, these forms have been converted to an online fillable format. You may fill out the forms, found online at [IRS.gov/Form1099SA](https://www.irs.gov/Form1099SA) and [IRS.gov/Form5498SA](https://www.irs.gov/Form5498SA), and send Copy B to the recipient. For filing with the IRS, follow the applicable procedures if you are required to file electronically. **For Forms 1099-SA and 5498-SA only**, if due to a low volume of recipients, you are filing the form(s) on paper, you can send in the black-and-white Copy(ies) A with a Form 1096 that you also printed from the IRS website.

Specific Instructions for Form 1099-SA

File Form 1099-SA, Distributions From an HSA, Archer MSA, or Medicare Advantage MSA, to report distributions made from a health savings account (HSA), Archer medical savings account (Archer MSA), or Medicare

Advantage MSA (MA MSA). The distribution may have been paid directly to a medical service provider or to the account holder. A separate return must be filed for each plan type.

Transfers

Do not report a trustee-to-trustee transfer from one Archer MSA or MA MSA to another Archer MSA or MA MSA, from an Archer MSA to an HSA, or from one HSA to another HSA. For reporting purposes, contributions and rollovers do not include transfers.

HSA Mistaken Distributions

If amounts were distributed during the year from an HSA because of a mistake of fact due to reasonable cause, the account beneficiary may repay the mistaken distribution no later than April 18 following the first year the account beneficiary knew or should have known the distribution was a mistake. For example, the account beneficiary reasonably, but mistakenly, believed that an expense was a qualified medical expense and was reimbursed for that expense from the HSA. The account beneficiary then repays the mistaken distribution to the HSA.

Under these circumstances, the mistaken distribution is not included in gross income, is not subject to the additional 20% tax, and the repayment is not subject to the excise tax on excess contributions. Do not treat the repayment as a contribution on Form 5498-SA, HSA, Archer MSA, or Medicare Advantage MSA Information.

TIP *As the trustee or custodian, you do not have to allow beneficiaries to return a mistaken distribution to the HSA. However, if you do allow the return of the mistaken distribution, you may rely on the account beneficiary's statement that the distribution was in fact a mistake. See Notice 2004-50, 2004-33 I.R.B. 196, Q/A-76, available at [IRS.gov/irb/2004-33_IRB#NOT-2004-50](https://www.irs.gov/irb/2004-33_IRB#NOT-2004-50). Do not report the mistaken distribution on Form 1099-SA. Correct any filed Form 1099-SA with the IRS and the account beneficiary as soon as you become aware of the error. See Corrected Returns on Paper Forms in the current General Instructions for Certain Information Returns for more information.*

HSA Closure Under the USA PATRIOT Act

If an HSA is closed at any time by the HSA trustee or custodian due to a failure of the participant to satisfy the Customer Identification Program requirements described in section 326 of the USA PATRIOT Act, the distribution from the HSA must be reported.

If a regular contribution is made to the HSA that is closed, and a distribution is made to the participant, enter the gross distribution in box 1. If no earnings are distributed, enter zero in box 2. If earnings are distributed, enter the amount of earnings in box 2. Enter code 2 in box 3. See the instructions for boxes 1 through 3, later.

In addition, Form 5498-SA must be filed to report any rollover (qualified HSA funding distributions (trustee-to-trustee transfers from an IRA to an HSA under section 408(d)(9))) contributions to the HSA subsequently closed by the trustee or custodian. See the [Specific Instructions for Form 5498-SA](#), later.

Death of Account Holder

Archer MSAs and MA MSAs. When the account holder dies and the designated beneficiary is the surviving spouse, the following apply.

- The spouse becomes the account holder of the Archer MSA.
- An MA MSA is treated as an Archer MSA of the spouse for distribution purposes.
- Distributions from these accounts are subject to the rules that apply to Archer MSAs.

If the designated beneficiary is not the spouse or there is no named beneficiary, the account ceases to be an MSA as of the date of death and the fair market value (FMV) on that date is reported.

If there is more than one recipient, the FMV should be allocated among them, as appropriate.

If the beneficiary is the estate, enter the estate's name and TIN in place of the recipient's on the form.

Distribution in year of death. If you learn of the account holder's death and make a distribution to the beneficiary in the year of death, issue a Form 1099-SA and enter in:

- Box 1, the gross distribution;
- Box 3, code 4 (see [Box 3. Distribution Code](#), later); and
- Box 4, the FMV of the account on the date of death.

Distribution after year of death. If you learn of the death of the account holder and make a distribution after the year of death, issue a Form 1099-SA in the year you learned of the death of the account holder. Enter in:

- Box 1, the gross distribution;
- Box 3, one of the following codes (see [Box 3. Distribution Code](#), later):
 - 1—If the beneficiary is the spouse,
 - 4—If the beneficiary is the estate, or
 - 6—If the beneficiary is not the spouse or estate;
- Box 4, the FMV of the account on the date of death, reduced by any payments from the HSA made for the decedent's qualified medical expenses, if paid within 1 year after death.

HSAs. When the account holder dies, the following applies.

- If the designated beneficiary is the surviving spouse, the spouse becomes the account holder of the HSA.
- If the designated beneficiary is not the surviving spouse, the account ceases to be an HSA on the date of

the account holder's death. The FMV of the account as of the date of death is required to be reported in box 4. Follow the rules and coding above under *Distribution in year of death* and *Distribution after year of death*.

Statements to Recipients

If you are required to file Form 1099-SA, you must provide a statement to the recipient. For more information about the requirement to furnish a Form 1099-SA or acceptable substitute statement to recipients, see part M in the current General Instructions for Certain Information Returns.

Truncating Recipient's TIN on Payee Statements

Pursuant to Regulations section 301.6109-4, all filers of this form may truncate a recipient's TIN (social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN)) on payee statements. Truncation is not allowed on any documents the filer files with the IRS. A trustee's/payer's TIN may not be truncated on any form. See part J in the current General Instructions for Certain Information Returns.

Account Number

The account number is required if you have multiple accounts for a recipient for whom you are filing more than one Form 1099-SA. Additionally, the IRS encourages you to designate an account number for all Forms 1099-SA that you file. See part L in the current General Instructions for Certain Information Returns.

Box 1. Gross Distribution

Enter the total amount of the distribution. Include any earnings separately reported in box 2. You are not required to determine the taxable amount of a distribution. Do not report a negative amount in box 1. Do not report the withdrawal of excess employer contributions (and the earnings on them) returned to an employer as a distribution from an employee's HSA. Do not report excess MA MSA contributions returned to the Secretary of Health and Human Services or his or her representative.

Box 2. Earnings on Excess Contributions

Enter the total earnings distributed with any excess HSA or Archer MSA contributions returned by the due date of the account holder's tax return. Include this amount in box 1. Report earnings on other distributions only in box 1.



For HSAs and Archer MSAs, if you are reporting earnings on a distribution of excess contributions, use the method under Regulations section 1.408-11 for calculating the net income attributable to IRA contributions that are distributed as a returned contribution. If the amount in box 2 includes earnings on excess contributions, enter distribution code 2 in box 3.

Box 3. Distribution Code

Enter the appropriate distribution code from the following list that shows the type of distribution.

Distribution Codes for Distributions from HSAs, Archer MSAs, and Medicare Advantage MSAs

1—Normal distributions	Use this code for normal distributions to the account holder and any direct payments to a medical service provider. Use this code if no other code applies. Also, see Distribution after year of death , earlier.
2—Excess contributions	Use this code for distributions of excess HSA or Archer MSA contributions to the account holder.
3—Disability	Use this code if you made distributions after the account holder was disabled (see section 72(m)(7)).
4—Death distribution other than code 6	Use this code for payments to a decedent's estate in the year of death. Also use this code for payments to an estate after the year of death. Do not use with code 6. See Death of Account Holder , earlier.
5—Prohibited transaction	See sections 220(e)(2) and 223(e)(2).
6—Death distribution after year of death to a nonspouse beneficiary	Use this code for payments to a decedent's nonspouse beneficiary, other than an estate, after the year of death. Do not use with code 4.

Box 4. FMV on Date of Death

Enter the FMV of the account on the date of death. See [Death of Account Holder](#), earlier.

Box 5. Checkbox

Check the box to indicate if this distribution was from an HSA, Archer MSA, or MA MSA.

Specific Instructions for Form 5498-SA

File Form 5498-SA, HSA, Archer MSA, or Medicare Advantage MSA Information, with the IRS on or before May 31, 2023, for each person for whom you maintained a health savings account (HSA), Archer medical savings account (Archer MSA), or Medicare Advantage MSA (MA MSA) during 2022. You are required to file if you are the trustee or custodian of an HSA, Archer MSA, or MA MSA. A separate form is required for each type of plan.

For HSA or Archer MSA contributions made between January 1, 2023, and April 18, 2023, you should obtain the participant's designation of the year for which the contributions are made.

For repayment of a mistaken distribution amount, see [HSA Mistaken Distributions](#), earlier. Do not treat the repayment as a contribution on Form 5498-SA.

Rollovers

You must report the receipt of a rollover from one Archer MSA to another Archer MSA, and receipt of a rollover from an Archer MSA or an HSA to an HSA in box 4.

Transfers

Do not report a trustee-to-trustee transfer from one Archer MSA or MA MSA to another Archer MSA or MA MSA, from an Archer MSA to an HSA, or from one HSA to another HSA. For reporting purposes, contributions and rollovers do not include these transfers. However, see [Box 2](#), later, for the reporting of a trustee-to-trustee transfer from an IRA to an HSA.

Total Distribution, No Contributions

Generally, if a total distribution was made from an HSA or Archer MSA during the year and no contributions were made for that year, you need not file Form 5498-SA nor furnish a statement to the participant to reflect that the fair market value (FMV) on December 31 was zero.

Death of Account Holder

In the year an HSA, Archer MSA, or MA MSA owner dies, you must generally file a Form 5498-SA and furnish a statement for the decedent. If the designated beneficiary is the surviving spouse, the following apply.

- The spouse becomes the account holder of the HSA or Archer MSA.
- An MA MSA is treated as an Archer MSA of the spouse for distribution purposes, but no new contributions may be made to the account.

If the designated beneficiary is not the spouse or there is no designated beneficiary, the account ceases to be an HSA, Archer MSA, or MA MSA.

Statements to Participants

If you are required to file Form 5498-SA, you must provide a statement to the participant (generally Copy B) by May 31, 2023. You may, but you are not required to, provide the participant with a statement of the December 31, 2022, FMV of the participant's account by January 31, 2023. For more information about statements to participants, see part M in the 2022 General Instructions for Certain Information Returns.

If you furnished a statement of the FMV of the account to the participant by January 31, 2023, and no reportable contributions, including rollovers, were made for 2022, you need not furnish another statement (or Form 5498-SA) to the participant to report zero contributions. However, you must file Form 5498-SA with the IRS by May 31, 2023, to report the December 31, 2022, FMV of the account.



If you do not furnish another statement to the participant because no reportable contributions were made for the year, the statement of the FMV of the account must contain a legend designating which information is being furnished to the IRS.

Truncating Participant's TIN on Payee Statements

Pursuant to Regulations section 301.6109-4, all filers of this form may truncate a participant's TIN (social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN)) on payee statements. Truncation is not allowed on any documents the filer files with the IRS. A trustee's TIN may not be truncated on any form. See part J in the 2022 General Instructions for Certain Information Returns.

Account Number

The account number is required if you have multiple accounts for a recipient for whom you are filing more than one Form 5498-SA. Additionally, the IRS encourages you to designate an account number for all Forms 5498-SA that you file. See part L in the 2022 General Instructions for Certain Information Returns.

Box 1. Employee or Self-Employed Person's Archer MSA Contributions Made in 2022 and 2023 for 2022

Enter the employee's or self-employed person's regular contributions to the Archer MSA made in 2022 and through April 18, 2023, for 2022. Report gross contributions, including any excess contributions, even if the excess contributions were withdrawn. No HSA information is to be reported in box 1.

Box 2. Total Contributions Made in 2022

Enter the total HSA or Archer MSA contributions made in 2022. Include any contribution made in 2022 for 2021. Also include qualified HSA funding distributions (trustee-to-trustee transfers from an IRA to an HSA under section 408(d)(9)) received by you during 2022. Any excess employer contributions (and the earnings on them) withdrawn by the employer pursuant to Notice 2008-59, Q/A 24, available at [IRS.gov/irb/2008-29_IRB#NOT-2008-59](https://www.irs.gov/irb/2008-29_IRB#NOT-2008-59), should not be reported as a contribution. You may, but you are not required to, report the total MA MSA contributions made in 2022 by the Secretary of Health and Human Services or his or her representative. Do not include amounts reported in box 4.

Box 3. Total HSA or Archer MSA Contributions Made in 2023 for 2022

Enter the total HSA or Archer MSA contributions made in 2023 for 2022.

Box 4. Rollover Contributions

Enter rollover contributions to the HSA or Archer MSA received by you during 2022. These amounts are not to be included in box 2.

Box 5. Fair Market Value of HSA, Archer MSA, or MA MSA

Enter the FMV of the account on December 31, 2022.

Box 6. Checkbox

Check the box to indicate if this account is an HSA, Archer MSA, or MA MSA.