

**Commonwealth of Kentucky
Kentucky Department of Revenue**



**Kentucky Tax Software Provider Registration Form
for Substitute Forms Design and/or
Tax Preparation Software**

**Tax Year 2017
Processing Year 2018**

**August 30, 2017
Version 1.0**

Kentucky Tax Software Provider Registration Form

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2017 Tax Software Provider Registration Form

Complete this form to request approval from the Kentucky Department of Revenue to provide tax preparation software for electronic forms submission. By completing this form, you agree to comply with all national security summit standards and requirements in addition to the specific state requirements identified in this registration form. If your submitted form is not complete we will deny your request.

Note: Please complete a registration form for each unique product your company offers.

Name of Company	Primary Product Name	State Software ID
DBA Name	NACTP Member Number	State Account Number (if applicable)
Address	Website Address/URL	Company FEIN
City	State	Zip Code
Primary Individual MeF Contact	Phone	Email Address
Secondary Individual MeF Contact	Phone	Email Address
Primary Business MeF Contact*	Phone	Email Address
Secondary Business MeF Contact	Phone	Email Address
Primary Leads Reporting Contact **	Phone	Email Address
Secondary Leads Reporting Contact **	Phone	Email Address
Primary Leads Feedback Contact **	Phone	Email Address
Secondary Leads Feedback Contact **	Phone	Email Address
Test EFIN(s)	Test ETIN(s)	
Production EFIN(s)	Production ETIN(s)	

*If you have separate contacts for tax types, please list them separately on a separate sheet and attach with your LOI submission.

**Must match FTA Master list

Rebranded Software Products

Software Companies: Use this section only if this product is rebranded with the approval of the Software Publisher, who is the original creator of the software and signer of the LOI. It is the position of the STAR Working Group under the auspices of the IRS Security Summit that:

- *Rebranding where the software publisher makes all code changes to generate the rebranded software and ensures that the rebranded software meets the applicable requirements (Trusted Customer, Generation of Authentication Elements, Generate of LEADS reports, STAR Requirements, etc) does not pose any additional risk to the tax ecosystem.*
- *Rebranding where the organization who rebrands the software has the capability to make cosmetic changes including but not limited to color or font, but cannot make changes to the applicable requirements (listed above) also does not pose additional risk to the ecosystem.*

Rebranded Product Name	Contact Person	Phone	Email Address	Unique Identifier **
Rebranded Product Name	Contact Person	Phone	Email Address	Unique Identifier **
Rebranded Product Name	Contact Person	Phone	Email Address	Unique Identifier **
Rebranded Product Name	Contact Person	Phone	Email Address	Unique Identifier **
Rebranded Product Name	Contact Person	Phone	Email Address	Unique Identifier **

*If there are more than 5 software products that have rebranded under a different name, please list them on a separate sheet and attach with your LOI submission.

** If available.

For Rebranded Products, the Kentucky Department of Revenue has the following requirements for e-file ATS approval

Rebranded Products where substantially different changes such as calculations or transmissions from a separate code base from the Software publisher's product would require ATS testing with the Kentucky Department of Revenue. A unique software Id must be used in this situation and ATS testing is required.

If a substantial difference does not exist, ATS testing is not required for the Rebranded Product. If a different software id is used in this this situation, we request that you do contact us and complete an abbreviated ATS testing to validate that the software id is accepted.

[LOI for E-File and Substitute Forms Registration](#)

Attachments A and B have been created for you to list the type of product and forms supported for E-File and Substitute Forms development.

Follow the directions and complete Attachment A-Letter of Intent for Substitute Forms Development to register for substitute forms approval. Attachment A is posted as a separate document on SES and can be submitted separately from this document.

Follow the directions and complete Attachment B-Forms Supported for E-File to complete the E-File registration. Attachment B is posted as a separate document on SES and should be included when submitting this document.

[Type of Software Product](#)

Complete Attachment A and Attachment B as needed.

[Tax Types Supported](#)

Complete Attachment A and Attachment B as needed.

National Security Summit Standards and Requirements

National standards have been developed to protect taxpayers from identity theft tax refund fraud. You are agreeing to adhere to all IRS, State, and Industry Security Summit guidelines as a condition of providing tax software product(s) to taxpayers and tax professionals for individual and business income tax MeF.

Standards in this section apply to all Do It Yourself (DIY) Consumer and Professional, Paid Preparer Products, tax professional, and volunteer (VITA) products.

Note: Items highlighted in blue indicate a national security summit standard or requirement document. A comprehensive list of those documents is also provided at the end of this document.

Authentication Data Elements

The state e-standards Authentication Header Schema has been established to identify and authenticate a taxpayer and prevent identity theft tax refund fraud. Tax Software Providers are required to transmit all data elements included in the *state authentication data elements* when available. If you are not providing all data elements you must explain what you are not providing and why you are unable to provide them in the space provided below.

Authentication Trusted Customer Requirements

Nationally identified minimum *Industry Trusted Customer Requirements* have been established to authenticate the customer logging in and prevent identity theft tax refund fraud. Tax Software Providers are required to adhere to the minimum standards. You must verify that you are adhering to minimum standards in the space provided below.

For Online Do-It-Yourself software:

1. How do you use out-of-band verification practices for your customer account verification process? Please describe what you do and how it is used. Attach a separate sheet if necessary.

2. Do you meet nationally recognized standards for implementing customer account authentication by using:
 - a. The standards identified in the Minimum Requirements for Identity Authentication section of the 2018 DIY Trusted Customer Requirements? Please explain how you meet those standards. Attach a separate sheet if necessary.

- b. An equivalent standard for identity authentication that meets or exceeds the minimum requirements? If yes, please describe your proposed process. Attach a separate sheet if necessary.

3. For the Online Do-It-Yourself software, when there is more than one account using a Primary and/or Secondary SSN this or the previous year:
 - a. Do you notify both account holders that the SSN is used within another account for the current and previous year? (This also requires including the appropriate authentication review code within the return schema when the SSN is used in another account for the current and previous year.) Or
 - b. Do you notify both account holders that the SSN is used within another account only for the current year? (This also requires including the appropriate authentication review code within the return schema when the SSN is used in another account for the current and previous year.)

For Tax Professional software:

1. Describe the process in which the new and returning tax professionals gain access to use your product. Attach a separate sheet if necessary.

2. Do you meet nationally recognized standards for implementing customer account authentication by using:

[Information Sharing](#)

Nationally identified [Information Sharing](#) standards for analyzing and reporting questionable activity associated with identity theft tax refund fraud have been established. You are required to provide regular leads reporting according to the information sharing requirements.

[Rapid Response Process](#)

Nationally identified [Rapid Response](#) procedures have been established. When industry, states, or the IRS discover an incident or threat of significance in the tax ecosystem, the rapid response process must be activated.

Tax software providers should:

- Conduct initial analysis and immediately take steps to block or contain any threat.
- Share detailed information with the impacted states as soon as it becomes available and permitted by applicable laws, regulations, and relevant information sharing agreements.
- Initiate the rapid response team per the Rapid Response document.

Note: If the tax software provider fails to timely notify the affected state of a significant, escalating issue, their ability to submit returns to the state may be removed.

[Safeguarding e-file/Information](#)

Nationally recognized rules and standards to safeguard e-file from fraud and abuse have been established.

All Individual (1040 family) return providers must adhere to the [Safeguarding E-File Standards](#) as outlined in IRS Publication 1345.

All business return providers must adhere to the “MeF Rules Protecting Taxpayer Information” and “Safeguarding MeF Data from Fraud and Abuse” sections of [IRS Publication 4163](#). This includes sections 2.3, 2.4, and 2.5 of the publication.

Note: If the tax software provider fails to adhere to these rules and standards as published by the IRS for the respective return types submitted to the Kentucky Department of Revenue, their ability to submit such returns to the Kentucky Department of Revenue may be removed. This includes reporting security-related incidents to the Kentucky Department of Revenue.

Strategic Threat Assessment & Response (STAR)

Nationally identified **Security Control** standards have been established. Tax software providers must adhere to these security controls. Please provide an answer to the question listed below. Attach a separate sheet if necessary.

1. Have you implemented the current requirements defined in the Security Control standard? At what level will your company implement the STAR security controls for the filing season? If no, please provide an explanation of your current progress and remediation plans. Please provide documentation to validate your statement.

2. Have you implemented controls beyond the first and second year's requirements? If yes, please explain what you've implemented.

National Disclosure and Use of Information Standards

Nationally established language has been developed for the disclosure and use of information related to filing a tax return. This section provides the language to which tax service providers must adhere.

Tax Service Provider Definitions

In this section, "tax service provider" is defined three different ways:

- An **Electronic Return Originator (ERO)** is authorized IRS e-file Provider that originates the electronic submission of returns to the IRS.
- A **Software Developer** is an authorized IRS or state e-file Provider that develops software for the purposes of (a) formatting the electronic portions of returns according to Publication 4164 or state specifications and/or (b) transmitting the electronic portion of returns directly to the IRS or the state. A Software Developer may also sell its software.
- **Transmitter** is an authorized IRS or state e-file Provider that transmits the electronic portion of a return directly to the IRS or the state. An entity that provides a "bump up" service is also a Transmitter. A bump up service provider increases the transmission rate or line speed of

formatted or reformatted information that it is sending to the IRS or the state via a public switched telephone network.

Note: A tax service provider may serve its customers in more than one of these roles.

Disclosure and Use of Information Language:

A tax service provider may use any tax return information provided by a taxpayer, for the current or prior tax years, for the purpose of identifying a suspicious or potentially fraudulent return that claims to be from, or related to, that taxpayer. For these purposes, “tax return information” means any and all documents or materials that the tax service provider uses in the course of the return preparation and submission process that are provided by the taxpayer or that are required by the taxing authority that the tax service provider uses in the course of the return preparation and submission.

Tax service providers must produce analytic compilations of federal and state tax return and submission information that directly relate to the internal management or support of the tax service provider’s business, which must include aggregated data compilations to identify potentially fraudulent behaviors or patterns.

Tax service providers must disclose the compilations of tax information to the Kentucky Department of Revenue through IRS secure data transmission on at least a weekly basis and identify by use of federal and state submission IDs any return the preparer believes is potentially fraudulent.

In addition, if a tax service provider has a bona fide belief that a particular individual’s activity, violated a state or federal law, the tax services provider must disclose that individual’s tax return information to the Kentucky Department of Revenue.

The following consent language must be added to electronic filing software to notify the user of the use of this information.

For Do-It-Yourself software:

By using a computer system and software to prepare and transmit return(s) electronically, I consent to the disclosure of all information pertaining to my use of the system and software to the Kentucky Department of Revenue, as applicable by law, and to the transmission of my tax return(s).

For Tax Professional software:

By using a computer system and software to prepare and transmit my client’s return electronically, I consent to the disclosure of all information pertaining to my use of the system and software to create my client’s return and to the electronic transmission of my client’s tax return to the Kentucky Department of Revenue, as applicable by law.

For Business software:

By using a computer system and software to prepare and transmit this business return electronically, I consent to the disclosure of all information pertaining to the user of the system and software to create this business return and to the electronic transmission of this business tax return to the Kentucky Department of Revenue.

State Specifications and Communication

State Documents and Materials

The Kentucky Department of Revenue e-file and paper form documentation will be posted/provided at the FTA State Exchange System (SES).

State Refund Expectations

To assist Taxpayers and Tax Professionals expecting refunds, the Kentucky Department of Revenue is providing a URL and/or a statement about refund processing. Industry partners should use this statement and/or URL to communicate and help set the appropriate expectations with external stakeholders. Providing this information will:

- Help eliminate phone calls from Taxpayers, Tax Professionals and Industry about refunds
- Ensure that Taxpayers and Tax Professionals receive the appropriate message

Statement/URL

The Kentucky Department of Revenue takes active steps to protect taxpayers, and taxpayer dollars, from fraud and identity theft. This can increase the time it takes to review and process income tax returns and requests for refunds. The department strives to process individual income tax requests efficiently and is committed to processing individual requests for income tax refunds within a timely manner.

Taxpayer's may check their refund status online by using the *Where's My Refund?* application on the Kentucky Department of Revenue website. URL: <https://iitrefundstatus.ky.gov/TRFWeb/index.jsp>

State Questions, Requirements, Standards and Recommendations

This section represents the state-specific requirements and standards for tax software providers.

Standards and Requirements for Confirmation of Specific Data Elements

Transferring data year-over-year that is not initially entered accurately causes issues with processing tax returns. The following items should be **confirmed** when transferred year over year.

- SSNs
- Addresses
- State driver's license and state issued ID numbers
- Employer information
- State withholding account numbers
- FEINs
- Kentucky Corp/LLET Account numbers

Schedule KW-2

A new form was created to report the Kentucky income tax withheld for **paper filed** tax year 2017 returns.

The new form is the Schedule KW-2 – Kentucky Income Tax Withheld. The Schedule KW-2 should be completed based on the 2017 W-2's and 1099's with Kentucky income tax withheld greater than 0.

The KW-2 should be included with the return instead of the income and withholding tax statements. The Schedule KW-2 is only to be included with a paper filed return. The taxpayer must keep copies of the Kentucky income and withholding tax statements and provide them to the Kentucky Department of Revenue if requested.

When the return is printed from the software package, the Schedule KW-2 should be included in the package if there is a possibility that the return will be filed by mail instead of e-filed.

The Schedule KW-2 is not used for **electronic filed** returns. All Kentucky withholding claimed on the e-filed tax return must be supported by an income and withholding tax statement as has been required in the past years.

State Specific Questions

1. What refund products or payment vehicles do you offer your customers? If you partner with an entity to provide refunds (e.g. Amazon.com or other pre-paid cards), please provide the names and bank routing numbers (RTNs) of each company. Attach a separate sheet if necessary.

2. Do you require your users/customers to download and apply product updates to continue to electronically file and/or print tax returns with your software? Please explain the timeline and process for this once an update is available for your product.

Data Breach Reporting

All software providers executing this agreement are subject to the data breach security laws and/or regulations of the Kentucky Department of Revenue, including but not limited to provisions regarding who must comply with the law, definitions of “personally identifiable information”, what constitutes a breach, requirements for notice, and any exemptions.

Kentucky Legislature Revised Statutes URL: <http://www.lrc.state.ky.us/home.htm>

KRS 61.931 – 61.934 defines a data breach. Unauthorized acquisition, distribution, disclosure, destruction, manipulation, or release of unencrypted or unredacted records or data that compromises the security, confidentiality, or integrity of personal information and results in the likelihood of harm to one or more individuals constitutes a data breach.

State Driver's License/ID Card Expectations

To help drive clarity for Taxpayers, Tax Professionals and Industry partners the Kentucky Department of Revenue is providing the following expectations regarding the Driver's License/ID Card.

For e-file returns:

The Kentucky Department of Revenue requests the driver's license/state issued information be included with the filing of the tax return.

For printed/paper forms requesting the DL/ID Card Information:

The Kentucky Department of Revenue requests the driver's license/state issued id number be placed on the tax return.

Statement

To assist Taxpayers and Tax Professionals filing returns, the Kentucky Department of Revenue is providing a statement regarding expectations for the DL/ID Card. Industry partners will use this statement or URL to communicate and help set the appropriate expectations with external stakeholders. Providing this information will:

- Help eliminate phone calls from Taxpayers, Tax Professionals and Industry about DL/ID Card Collection and Reporting
- Ensure that Taxpayers and Tax Professionals receive the appropriate message

Please advise your customers of the following statement from the Kentucky Department of Revenue:

Kentucky has implemented many internal measures along with collaborating with outside sources to prevent tax fraud and identity theft. Safeguarding tax information is very important to the Kentucky Department of Revenue.

The Kentucky Department of Revenue had added a field to the individual income tax return forms 740, 740-EZ, 740-NP, 740-NP-R that allows taxpayers to provide their driver's license or state issued ID number if they choose. While providing a driver's license or state issued ID number is **optional**, doing so may expedite return processing. The Kentucky Department of Revenue uses the driver's license or state issued ID number to screen returns for tax fraud and identity theft problems. Returns that do not include a driver's license or state issued ID number will not be scrutinized more than returns that do include a driver's license or state issued ID number.

Signature

- I acknowledge that all e-file ATS tests submitted during the approval process are created in and originate from the actual software.
- I acknowledge that all electronic returns received by the Kentucky Department of Revenue generated from this software will be electronically filed from the initially approved product version, or a subsequent product update.
- I acknowledge that all paper returns received by the Kentucky Department of Revenue generated from this software will be printed from the initially approved product version, or a subsequent product update.
- I acknowledge that the Kentucky Department of Revenue will be notified of any incorrect and/or missing calculation or e-file data element for any paper or electronically returns submitted to the Kentucky Department of Revenue.

As the representative of the above named organization, I agree, on behalf of the organization, to comply with all requirements listed above. Furthermore, by signing this agreement, my organization is agreeing to all of the requirements listed above. The Kentucky Department of Revenue reserves the right to revoke approval acceptance of any company and thereby refuse to accept any additional returns from such software company that does not adhere to above stated requirements.

As an approved Kentucky Department of Revenue provider, I agree to provide true, accurate, current, and complete information about my company. I understand that if I provide any information that is untrue, inaccurate, obsolete, or incomplete, the Kentucky Department of Revenue has the right to deny, suspend, or terminate my account.

(AUTHORIZED REPRESENTATIVE) PRINTED NAME	EMAIL ADDRESS	PHONE NUMBER
(AUTHORIZED REPRESENTATIVE) SIGNATURE	DATE	PHONE NUMBER

Attachment A

Attachment B