

Regular Session, 2014

SENATE BILL NO. 178

BY SENATORS MORRISH, BROWN, JOHNS, LONG, PETERSON AND GARY SMITH

HEALTH/ACC INSURANCE. Provides with respect to health care sharing ministries.
(8/1/14)

1 AN ACT
2 To enact Subpart J-1 of Part I of Chapter 2 of Title 22 of the Louisiana Revised Statutes of
3 1950, to be comprised of R.S.22:318, relative to health care sharing ministries; to
4 provide for the definition of a health care sharing ministry; to provide with respect
5 to required disclaimers; to provide for the exemption from provisions of the state
6 insurance laws; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Subpart J-1 of Part I of Chapter 2 of Title 22 of the Louisiana Revised
9 Statutes of 1950, to be comprised of R.S. 22:318, is hereby enacted to read as follows:

10 **SUBPART J-1. HEALTH CARE SHARING MINISTRIES**

11 **§318. Health care sharing ministries**

12 **A.(1) As used in this Subpart, "health care sharing ministry" means a**
13 **faith-based, nonprofit, tax-exempt organization that limits its participants to**
14 **those who are of a similar faith and that acts as a facilitator between**
15 **participants who have financial or medical needs and those participants with**
16 **the ability to provide financial or medical assistance in accordance with criteria**
17 **established by the ministry.**

1 **(2) All financial contributions shall be made without assumption of risk**
2 **or promise to pay by the participants or by the ministry.**

3 **B. The ministry shall provide a written monthly statement to all**
4 **participants listing the total dollar amount of qualified financial or medical**
5 **needs submitted to the ministry and the dollar amount actually published or**
6 **assigned to the participants for their contribution.**

7 **C. The ministry shall provide a written disclaimer on all applications**
8 **and guideline materials distributed by or on behalf of the ministry that reads,**
9 **in substance: "Notice: The ministry facilitating the sharing of medical expenses**
10 **is not an insurance company. Neither the guidelines nor the plan of operation**
11 **of the ministry constitutes an insurance policy. Financial assistance for the**
12 **payment of medical expenses is strictly voluntary. Participation in the ministry**
13 **or a subscription to any publication issued by the ministry shall not be**
14 **considered as enrollment in any health insurance plan or as a waiver of your**
15 **responsibility to pay your medical expenses."**

16 **D. Health care sharing ministries shall be exempt from all other**
17 **provisions of the insurance laws of this state unless the ministries are expressly**
18 **designated therein, or unless the provision is specifically made applicable by this**
19 **Subpart.**

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Cheryl Horne.

DIGEST

Morrish (SB 178)

Proposed law defines a health care sharing ministry as a faith based, nonprofit, tax-exempt organization that limits its participants to those who are of a similar faith and that acts as a facilitator between participants who have financial or medical needs and participants who have the ability to provide financial or medical assistance.

Proposed law requires financial contributions to be made without assumption of risk or the promise to pay by the participants or the ministry.

Proposed law requires the ministry to provide written monthly statements to all participants listing the total dollar amount of qualified financial or medical needs submitted to the ministry as well as the dollar amount actually published or assigned to the participants for their contribution.

Proposed law requires the ministry to provide a disclaimer on all applications and guideline materials published by or on behalf of the ministry that reads, in substance: "Notice: The ministry facilitating the sharing of medical expenses is not an insurance company. Neither the guidelines nor the plan of operation of the ministry constitutes an insurance policy. Financial assistance for the payment of medical expenses is strictly voluntary. Participation in the ministry or a subscription to any publication issued by the ministry shall not be considered as enrollment in a group health insurance plan or as a waiver of your responsibility to pay your medical expenses."

Proposed law exempts health care sharing ministries from all other provisions of the state insurance laws unless the law expressly includes the ministries or the law is made applicable to the ministries by proposed law.

Effective August 1, 2014.

(Adds R.S. 22:318)