

1 HB343
2 136668-1
3 By Representatives Buttram, McClendon, Henry, Galliher
4 and Hill
5 RFD: Health
6 First Read: 16-FEB-12

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8 SYNOPSIS: This bill would create The Health Care
9 Sharing Ministries Freedom to Share Act.

10 This bill would authorize the health care
11 sharing ministry to match persons with medical
12 needs with persons of a similar faith who are
13 willing to assist with medical and medically
14 related financial needs of the person.

15 This bill would require the health care
16 sharing ministry to provide a disclaimer informing
17 the person receiving financial assistance that he
18 or she is ultimately responsible for any medical
19 bills not paid by a participant in the sharing
20 ministry.

21 This bill would also exempt health care
22 sharing ministries from regulation as an insurance
23 company.

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25 A BILL
26 TO BE ENTITLED
27 AN ACT

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2 To create The Health Care Sharing Ministries Freedom
3 to Share Act; to authorize a health care sharing ministry to
4 match persons with medical needs and medically related
5 financial needs with participants in the health care sharing
6 ministry who are willing to provide medical and financial
7 support; to provide for the matching process; and to exempt
8 the health care sharing ministry from regulation as an
9 insurance company.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. This act shall be known and may be cited
12 as "The Health Care Sharing Ministries Freedom to Share Act."

13 Section 2. (a) Health care sharing ministry means a
14 faith-based nonprofit organization that is tax exempt under
15 the Internal Revenue Code and which does all of the following:

16 (1) Limits its participants to those who are of a
17 similar faith.

18 (2) Acts as a facilitator among participants who
19 have financial or medical needs and matches those participants
20 with other participants with the present ability to assist
21 those with financial or medical needs in accordance with
22 criteria established by the health care sharing ministry.

23 (3) Provides for the financial or medical needs of a
24 participant through contributions from one participant to
25 another.

26 (b) The health care sharing ministry shall specify
27 to participants that participants may contribute with no

1 assumption of risk or promise to pay among the participants
2 and no assumption of risk or promise to pay by the health care
3 sharing ministry to the participants.

4 (c) The health care sharing ministry shall provide a
5 written monthly statement to all participants that lists the
6 total dollar amount of qualified needs submitted to the health
7 care sharing ministry, as well as the amount actually assigned
8 to participants for their contribution.

9 (d) The health care sharing ministry shall provide
10 to all applicants for assistance a written disclaimer on or
11 accompanying all applications and guideline materials
12 distributed by or on behalf of the organization that reads, in
13 substance: "Notice: The organization facilitating the sharing
14 of medical expenses is not an insurance company, and neither
15 its guidelines nor plan of operation is an insurance policy.
16 Whether anyone chooses to assist you with your medical bills
17 will be totally voluntary because no other participant will be
18 compelled by law to contribute toward your medical bills. As
19 such, participation in the organization or a subscription to
20 any of its documents should never be considered to be
21 insurance. Regardless of whether you receive any payment for
22 medical expenses or whether this organization continues to
23 operate, you are always personally responsible for the payment
24 of your own medical bills."

25 Section 3. A health care sharing ministry shall not
26 be considered to be engaging in the business of insurance

1 pursuant to Title 27, Code of Alabama 1975, for purposes of
2 this act.

3 Section 4. This act shall become effective on the
4 first day of the third month following its passage and
5 approval by the Governor, or its otherwise becoming law.