

By: Representatives Chism, Hines

To: Insurance

HOUSE BILL NO. 611

1 AN ACT TO CREATE THE "HEALTH CARE SHARING MINISTRIES FREEDOM
2 TO SHARE ACT"; TO EXEMPT HEALTH CARE SHARING MINISTRIES FROM
3 REGULATION BY THE INSURANCE CODE; TO DEFINE THE TERM "HEALTH CARE
4 SHARING MINISTRY"; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** (1) This act shall be known as the "Health Care
7 Sharing Ministries Freedom to Share Act."

8 (2) A health care sharing ministry shall not be considered
9 to be engaging in the business of insurance for purposes of this
10 Title 83, Mississippi Code of 1972.

11 (3) "Health care sharing ministry" means a faith-based,
12 nonprofit organization that is tax exempt under the Internal
13 Revenue Code which:

14 (a) Limits its participants to those who are of a
15 similar faith;

16 (b) Acts as a facilitator among participants who have
17 financial or medical needs and matches those participants with
18 other participants with the present ability to assist those with



19 financial or medical needs in accordance with criteria established
20 by the health care sharing ministry;

21 (c) Provides for the financial or medical needs of a
22 participant through contributions from one (1) participant to
23 another;

24 (d) Provides amounts that participants may contribute
25 with no assumption of risk or promise to pay among the
26 participants and no assumption of risk or promise to pay by the
27 health care sharing ministry to the participants;

28 (e) Provides a written monthly statement to all
29 participants that lists the total dollar amount of qualified needs
30 submitted to the health care sharing ministry, as well as the
31 amount actually published or assigned to participants for their
32 contribution; and

33 (f) Provides a written disclaimer on or accompanying
34 all applications and guideline materials distributed by or on
35 behalf of the organization that reads, in substance: "Notice:
36 The organization facilitating the sharing of medical expenses is
37 not an insurance company, and neither its guideline nor plan or
38 operation is an insurance policy. Whether anyone chooses to
39 assist you with your medical bills will be totally voluntary
40 because no other participant will be compelled by law to
41 contribute toward your medical bills. As such, participation in
42 the organization or a subscription to any of its documents should
43 never be considered to be insurance. Regardless of whether you



44 receive any payment of medical expenses or whether this
45 organization continues to operate, you are always personally
46 responsible for the payment of your own medical bills."

47 **SECTION 2.** This act shall take effect and be in force from
48 and after July 1, 2014.

