

SENATE BILL NO. 178

BY SENATORS MORRISH, ADLEY, ALARIO, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAITOR, CORTEZ, CROWE, DONAHUE, ERDEY, GUILLORY, JOHNS, LONG, MARTINY, MILLS, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH AND WARD

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 and 319, relative to health care sharing
4 ministries; to provide for the definition of a health care sharing ministry; to provide
5 with respect to required disclaimers; to provide for the exemption from provisions
6 of the state 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 and 319, is hereby enacted to read as
10 follows:

11 SUBPART J-1. HEALTH CARE SHARING MINISTRIES

12 §318. Health care sharing ministry; definitions

13 As used in this Subpart, "health care sharing ministry" means a faith-
14 based, nonprofit, tax-exempt organization that does each of the following:

15 (1) Limits its participants to those who are of a similar faith and acts as
16 a facilitator between participants who have financial or medical needs and those
17 participants with the ability to provide financial or medical assistance in
18 accordance with criteria established by the ministry.

19 (2) Provides amounts that participants may contribute without
20 assumption of risk or promise to pay by the participants or by the ministry.

21 (3) Provides a written monthly statement to all participants listing the
22 total dollar amount of qualified financial or medical needs submitted to the
23 ministry and the dollar amount actually published or assigned to the
24 participants for their contribution.

1 (4) Provides a written disclaimer on or with all applications and
 2 guideline materials distributed by or on behalf of the ministry that reads, in
 3 substance: "Notice: The ministry facilitating the sharing of medical expenses
 4 is not an insurance company. Neither the guidelines nor the plan of operation
 5 of the ministry constitutes an insurance policy. Financial assistance for the
 6 payment of medical expenses is strictly voluntary. Participation in the ministry
 7 or a subscription to any publication issued by the ministry shall not be
 8 considered as enrollment in any health insurance plan or as a waiver of your
 9 responsibility to pay your medical expenses."

10 § 319. Exemption from provisions of the Insurance Code

11 Health care sharing ministries shall be exempt from all provisions of the
 12 insurance laws of this state unless the ministries are expressly provided for in
 13 such provisions or unless the provision is specifically made applicable by this
 14 Subpart.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____