

SECOND REGULAR SESSION

HOUSE BILL NO. 2346

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CARPENTER.

5208H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 376.1750, RSMo, and to enact in lieu thereof one new section relating to health care sharing ministries.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 376.1750, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 376.1750, to read as follows:

376.1750. 1. The provisions of this chapter relating to health insurance, health maintenance organizations, health benefit plans, group health services, and health carriers shall not apply to a health care sharing ministry. A health care sharing ministry which, through its publication to members or subscribers, solicits funds for the payment of medical expenses of other subscribers or members, shall not be considered to be engaging in the business of insurance for purposes of this chapter or any provision of Title XXIV and shall not be subject to the jurisdiction of the director if the requirements of subsection 2 of this section are met.

2. As used in this section, a "health care sharing ministry" is a faith-based nonprofit organization tax exempt under the Internal Revenue Code that:

(1) Limits its membership to those who are of a similar faith;

(2) Acts as an organizational clearinghouse for information between members or subscribers who have financial, physical, or medical needs and members or subscribers with the present ability to assist those with present financial or medical needs;

(3) Provides for the financial or medical needs of a member or subscriber through gifts directly from one member or subscriber to another. The requirements of this subdivision can be satisfied by a trust established solely for the benefit of members or subscribers, which trust is audited annually by an independent auditing firm;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (4) Provides amounts that members or subscribers may give with no assumption of risk
19 or promise to pay either among the members or subscribers or between the members or
20 subscribers and such organization;

21 (5) Provides a written monthly statement to all members or subscribers, listing the total
22 dollar amount of qualified needs submitted to such organization, as well as the amount actually
23 published or assigned to members or subscribers for voluntary payment; and

24 (6) Provides the following written disclaimer on or accompanying all promotional or
25 informational documents distributed by or on behalf of the organization, including applications,
26 and guideline materials:

27 "NOTICE

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29 This publication is not an insurance company nor is it offered through an insurance company.
30 Whether anyone chooses to assist you with your medical bills will be totally voluntary, as no
31 other subscriber or member will be compelled to contribute toward your medical bills. As such,
32 this publication should never be considered to be insurance. Whether you receive any payments
33 for medical expenses and whether or not this publication continues to operate, you are always
34 personally responsible for the payment of your own medical bills."

35 **3. No health care sharing ministry shall exclude payment of medical expenses to**
36 **any member or subscriber for medical expenses arising from such member or subscriber**
37 **committing suicide or attempting to commit suicide.**

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