

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013

A Bill

SENATE BILL 362

4
5 By: Senator J. Woods
6 By: Representative Hammer

For An Act To Be Entitled

9 AN ACT TO EXEMPT HEALTH CARE SHARING MINISTRIES FROM
10 THE INSURANCE LAWS OF ARKANSAS; AND FOR OTHER
11 PURPOSES.

Subtitle

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14 AN ACT TO EXEMPT HEALTH CARE SHARING
15 MINISTRIES FROM THE INSURANCE LAWS OF
16 ARKANSAS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. Arkansas Code § 23-60-104 is amended to read as follows:

23 23-60-104. Exceptions – Burial associations – Health care sharing
24 ministries – Definition.

25 (a) The Arkansas Insurance Code and rules promulgated by the Insurance
26 Commissioner under the Arkansas Insurance Code shall not apply with respect
27 do not apply to:

28 (1) burial Burial associations governed by §§ 23-78-101 – 23-78-
29 119, and 23-78-121 – 23-78-125, ~~and amendments thereto;~~ or

30 (2) Health care sharing ministries.

31 (b) As used in this section, "health care sharing ministry" means a
32 faith-based, nonprofit organization that:

33 (1) Is tax-exempt under the Internal Revenue Code of 1986;

34 (2) Limits participation to those who are of a similar faith;

35 (3) Facilitates arrangement to match participants who have
36 financial or medical needs to participants with the present ability to assist



1 those with financial or medical needs according to criteria established by
2 the health care sharing ministry;

3 (4) Provides for the financial or medical needs of a participant
4 through contributions from one (1) participant to another;

5 (5) Establishes contribution amounts for participants with no
6 guarantee of return, assumption of risk, or promise to pay;

7 (6) Provides a written monthly statement to its participants that
8 lists:

9 (A) The total dollar amount of qualified needs submitted to
10 the health care sharing ministry; and

11 (B) The amount of contribution established for its
12 participants; and

13 (7) Provides a written disclaimer on or accompanying an
14 application and guideline material distributed by or on behalf of the health
15 care sharing ministry that reads:

16 "Notice: The organization facilitating the sharing of medical expenses is not
17 an insurance company and neither its guidelines nor plan of operation is an
18 insurance policy. If anyone chooses to assist you with your medical bills, it
19 will be totally voluntary because participants are not compelled by law to
20 contribute toward your medical bills. Participation in the organization or a
21 subscription to any of its documents should never be considered to be
22 insurance. Regardless of whether you receive a payment for medical expenses
23 or if this organization continues to operate, you are always personally
24 responsible for the payment of your own medical bills."

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