

REFERENCE TITLE: insurance; health care sharing ministries

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

SB 1122

Introduced by
Senator Barto

AN ACT

AMENDING TITLE 20, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-122; RELATING TO HEALTH CARE SHARING MINISTRIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 20, chapter 1, article 1, Arizona Revised Statutes,
3 is amended by adding section 20-122, to read:

4 20-122. Health care sharing ministries: exemption from
5 regulation: definition

6 A. A HEALTH CARE SHARING MINISTRY'S PRACTICES DO NOT CONSTITUTE THE
7 TRANSACTION OF INSURANCE BUSINESS IN THIS STATE FOR THE PURPOSES OF
8 REGULATION UNDER THIS TITLE.

9 B. FOR THE PURPOSES OF THIS SECTION, "HEALTH CARE SHARING MINISTRY"
10 MEANS A FAITH-BASED, NONPROFIT ORGANIZATION THAT IS EXEMPT FROM FEDERAL
11 INCOME TAX UNDER SECTION 501 OF THE INTERNAL REVENUE CODE AND THAT:

12 1. LIMITS ITS PARTICIPANTS TO THOSE WHO ARE OF A SIMILAR FAITH.

13 2. ACTS AS A FACILITATOR AMONG PARTICIPANTS WHO HAVE FINANCIAL OR
14 MEDICAL NEEDS AND MATCHES THOSE PARTICIPANTS WITH OTHER PARTICIPANTS WHO HAVE
15 THE ABILITY TO ASSIST THOSE WITH FINANCIAL OR MEDICAL NEEDS CONSISTENT WITH
16 THE CRITERIA ESTABLISHED BY THE HEALTH CARE SHARING MINISTRY.

17 3. PROVIDES FOR THE FINANCIAL AND MEDICAL NEEDS OF A PARTICIPANT
18 THROUGH CONTRIBUTIONS FROM ONE PARTICIPANT TO ANOTHER.

19 4. SUGGESTS AMOUNTS THAT PARTICIPANTS MAY CONTRIBUTE WITH NO
20 ASSUMPTION OF RISK OR PROMISE TO PAY AMONG THE PARTICIPANTS AND NO ASSUMPTION
21 OF RISK OR PROMISE TO PAY BY THE HEALTH CARE SHARING MINISTRY TO THE
22 PARTICIPANTS.

23 5. PROVIDES A WRITTEN MONTHLY STATEMENT TO ALL PARTICIPANTS THAT LISTS
24 THE TOTAL DOLLAR AMOUNT OF QUALIFIED NEEDS SUBMITTED TO THE HEALTH CARE
25 SHARING MINISTRY AND THE AMOUNT ACTUALLY PUBLISHED OR ASSIGNED TO
26 PARTICIPANTS FOR THEIR CONTRIBUTION.

27 6. PROVIDES A WRITTEN DISCLAIMER ON OR ACCOMPANYING ALL APPLICATIONS
28 AND GUIDELINE MATERIALS DISTRIBUTED BY OR ON BEHALF OF THE MINISTRY THAT
29 READS, IN SUBSTANCE:

30 NOTICE: THE ORGANIZATION FACILITATING THE SHARING OF
31 MEDICAL EXPENSES IS NOT AN INSURANCE COMPANY AND THE MINISTRY'S
32 GUIDELINES AND PLAN OF OPERATION ARE NOT AN INSURANCE POLICY.
33 WHETHER ANYONE CHOOSES TO ASSIST YOU WITH YOUR MEDICAL BILLS
34 WILL BE COMPLETELY VOLUNTARY BECAUSE PARTICIPANTS ARE NOT
35 COMPELLED BY LAW TO CONTRIBUTE TOWARD YOUR MEDICAL BILLS.
36 THEREFORE, PARTICIPATION IN THE MINISTRY OR A SUBSCRIPTION TO
37 ANY OF ITS DOCUMENTS SHOULD NOT BE CONSIDERED TO BE INSURANCE.
38 REGARDLESS OF WHETHER YOU RECEIVE ANY PAYMENT FOR MEDICAL
39 EXPENSES OR WHETHER THIS MINISTRY CONTINUES TO OPERATE, YOU ARE
40 ALWAYS PERSONALLY RESPONSIBLE FOR THE PAYMENT OF YOUR OWN
41 MEDICAL BILLS.