

AMENDMENTS TO LB700

Introduced by Christensen

1 1. Insert the following new section:

2 Sec. 12. (1) A health care sharing ministry shall not be
3 considered to be engaging in the business of insurance for purposes
4 of the insurance laws of this state.

5 (2) For purposes of this section, health care sharing
6 ministry means a faith-based, nonprofit organization that is
7 tax-exempt under the Internal Revenue Code which:

8 (a) Limits its participants to those who are of a similar
9 faith;

10 (b) Acts as a facilitator among participants who have
11 financial or medical needs and matches those participants with
12 other participants with the present ability to assist those with
13 financial or medical needs in accordance with criteria established
14 by the health care sharing ministry;

15 (c) Provides for the financial or medical needs of a
16 participant through contributions from one participant to another;

17 (d) Provides amounts that participants may contribute
18 with no assumption of risk or promise to pay among the participants
19 and no assumption of risk or promise to pay by the health care
20 sharing ministry to the participants;

21 (e) Provides a written monthly statement to all
22 participants that lists the total dollar amount of qualified needs
23 submitted to the health care sharing ministry, as well as the

1 amount actually published or assigned to participants for their
2 contribution;

3 (f) Provides a written disclaimer on or accompanying all
4 applications and guideline materials distributed by or on behalf of
5 the organization that reads, in substance:

6 IMPORTANT NOTICE. This organization is not an insurance
7 company, and its product should never be considered insurance.
8 If you join this organization instead of purchasing health
9 insurance, you will be considered uninsured. By the terms of
10 this agreement, whether anyone chooses to assist you with your
11 medical bills as a participant of this organization will be totally
12 voluntary, and neither the organization nor any participant can
13 be compelled by law to contribute toward your medical bills.
14 Regardless of whether you receive payment for medical expenses
15 or whether this organization continues to operate, you are always
16 personally responsible for the payment of your own medical bills.
17 This organization is not regulated by the Nebraska Department
18 of Insurance. You should review this organization's guidelines
19 carefully to be sure you understand any limitations that may affect
20 your personal medical and financial needs;

21 (g) Has participants which retain participation even
22 after they develop a medical condition; and

23 (h) Conducts an annual audit which is performed by
24 an independent certified public accounting firm in accordance
25 with generally accepted accounting principles and which is made
26 available to the public upon request.

27 2. Renumber the remaining section accordingly.

1 3. Correct the operative date section so that the section
2 added by this amendment becomes operative three calendar months
3 after the adjournment of this legislative session.