

CHAPTER 165
SB 245 – FINAL VERSION

03/21/12 1117s
9May2012... 1941h

2012 SESSION

12-2918
01/04

SENATE BILL **245**

AN ACT relative to health care sharing organizations.

SPONSORS: Sen. Groen, Dist 6; Sen. White, Dist 9; Sen. Luther, Dist 12; Sen. Sanborn, Dist 7;
Sen. Bragdon, Dist 11; Sen. De Blois, Dist 18; Rep. Groen, Straf 1

COMMITTEE: Commerce

ANALYSIS

This bill authorizes the establishment of health care sharing organizations which shall be 501(c)(3) organizations under the Internal Revenue Code. Under this bill, participants of health care sharing organizations may financially assist fellow participants with certain medical expenses.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to health care sharing organizations.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 165:1 New Chapter; Health Care Sharing Organizations. Amend RSA by inserting after chapter
2 126-U the following new chapter:

CHAPTER 126-V

HEALTH CARE SHARING ORGANIZATIONS

5 126-V:1 Health Care Sharing Organizations.

6 I. The provisions of Title XXXVII relating to health insurance shall not apply to health care
7 sharing organizations as established under this chapter. A health care sharing organization which,
8 through its publication to participants, solicits funds for the payment of medical expenses of other
9 participants, shall not be considered to be engaging in the business of insurance for purposes of any
10 provision of Title XXXVII and shall not be subject to the jurisdiction of the insurance commissioner if
11 the requirements of this section are met.

12 II. In this section, a “health care sharing organization” means a faith-based nonprofit
13 organization which, or a predecessor of which, has been in existence continuously and has facilitated
14 the sharing of medical expenses of participants without interruption since December 31, 1999, that
15 is tax-exempt pursuant to section 501(c)(3) of the Internal Revenue Code, which limits its
16 participants to individuals who share a common set of ethical or religious beliefs, and whose
17 participants share medical expenses in accordance with those beliefs.

18 III. A health care sharing organization:

19 (a) Acts as a facilitator among participants who have financial and medical needs and
20 matches those participants with other participants with the present ability to assist those with
21 financial and medical needs in accordance with criteria established by the health care sharing
22 organization based on the shared ethical or religious beliefs of its participants.

23 (b) Provides for the financial and medical needs of participants through monetary
24 contributions from one participant to another.

25 (c) Allows its participants to continue participation even after they develop a medical
26 condition.

