

**SENATE BILL NO. 2225**

Introduced by

Senators Campbell, Erbele, Larsen

Representatives Louser, Ruby, Toman

1 A BILL for an Act to create and enact a new section to chapter 26.1-04 of the North Dakota  
2 Century Code, relating to health care sharing ministries.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 26.1-04 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Health care sharing ministries.**

- 7 1. As used in this section, the term "health care sharing ministry" means a faith-based,  
8 nonprofit organization that is tax-exempt under the Internal Revenue Code which:
- 9 a. Limits participation in the organization to those who are of a similar faith;
  - 10 b. Acts as a facilitator among participants who have financial or medical needs and  
11 matches those participants with other participants with the present ability to assist  
12 those with financial or medical needs in accordance with criteria established by  
13 the organization;
  - 14 c. Provides for the financial or medical needs of a participant through contributions  
15 from one participant to another;
  - 16 d. Provides amounts that participants may contribute with no assumption of risk or  
17 promise to pay among the participants and no assumption of risk or promise to  
18 pay by the organization to the participants;
  - 19 e. Provides a written monthly statement to all participants which lists the total dollar  
20 amount of qualified needs submitted to the organization, as well as the amount  
21 actually published or assigned to participants for their contribution; and
  - 22 f. Provides a written disclaimer on or accompanying all applications and guideline  
23 materials distributed by or on behalf of the organization which reads, in  
24 substance: "Notice: The organization facilitating the sharing of medical expenses

1                   is not an insurance company, and neither the organization's guidelines nor plan  
2                   of operation is an insurance policy. Whether anyone chooses to assist you with  
3                   your medical bills will be totally voluntary because no other participant will be  
4                   compelled by law to contribute toward your medical bills. As such, participation in  
5                   the organization or a subscription to any of the organization's documents should  
6                   never be considered to be insurance. Regardless of whether you receive any  
7                   payment for medical expenses or whether this organization continues to operate,  
8                   you are always personally responsible for the payment of your own medical bills."  
9                   2. For purposes of title 26.1, a health care sharing ministry is not engaging in the  
10                   business of insurance.