



December 11, 2019

RE: Comments on NCOIL Health Care Sharing Ministry (HCSM) Model Act

Samaritan Ministries is one of the largest sharing ministries among the over one million Americans using health care sharing. These religious ministries coordinate on a voluntary basis the sharing of medical expenses amongst their members, along with members providing emotional and spiritual support to each other.

Samaritan is also concerned about the arrival of many new groups and also the much-publicized bad actions of some of them. So we understand the demand for this type of model bill.

Samaritan Ministries values transparency; it's one of our core values. We would not find it unreasonable to report the required info annually. In fact, we have voluntarily shared this information numerous times in the past with state agencies that have asked for it, and we share these numbers monthly with our members. However, we are concerned with requiring non-insurance entities such as health care sharing to register with the DOI. Specifically, 30 states have laws stating HCSMs are not subject to the insurance code of the state. We understand that the DOI does sometimes oversee non-insurance entities such as funeral homes, warranties, or fire marshals and we also understand that sometimes a resident of the state will contact the state DOI to seek information on HCSMs.

Nevertheless, HCSM that are 501c3 charities should not be subject to any portion of an Insurance Code, particularly the fraud provisions. We would advocate that they be subject to the state's laws that apply to charities, which would include fraud/consumer protection. Similarly, if the HCSM fits the ACA definition, it is a charity and therefore any state registration should be with the Attorney General, not the DOI. The registration and required info that is sent to the Attorney General can be shared by that department with DOI so the consumer questions can be addressed if those arise.

We appreciate your desire to protect the citizens of your state, and we thank you for the opportunity to bring some clarity to the model as we strive to continue to faithfully serve our members.

Thank you,

Joel Noble

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