

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Health Innovation
 2 Subcommittee

3 Representative Altman offered the following:

4

5 **Amendment**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 624.1265, Florida Statutes, is amended
 8 to read:

9 624.1265 Nonprofit religious organization exemption;
 10 authority; notice.—

11 (1) A nonprofit religious organization is not subject to
 12 the requirements of the Florida Insurance Code if the nonprofit
 13 religious organization:

14 (a) Qualifies under Title 26, s. 501 of the Internal
 15 Revenue Code of 1986, as amended;

16 (b) Limits its participants to those members who share a

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17 common set of ethical or religious beliefs of the same religion;

18 (c) Acts as a facilitator among an organizational
19 clearinghouse for information between participants who have
20 financial, physical, or medical needs to assist those with
21 financial or medical needs in accordance with criteria
22 established by the nonprofit religious organization and
23 participants who have the ability to pay for the benefit of
24 those participants who have financial, physical, or medical
25 needs;

26 (d) Provides for the financial or medical needs of a
27 participant through contributions from other participants, or
28 through payments directly from one participant to another
29 participant;—and

30 (e) Provides amounts that participants may contribute,
31 with no assumption of risk and no promise to pay:

32 1. Among the participants; or

33 2. By the nonprofit religious organization to the
34 participants;

35 (f) Provides monthly to the participants the total dollar
36 amount of qualified needs actually shared in the previous month
37 in accordance with criteria established by the nonprofit
38 religious organization; and

39 (g) Conducts an annual audit that is performed by an
40 independent certified public accounting firm in accordance with
41 generally accepted accounting principles and that is made

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42 available to the public by providing a copy upon request or by
43 posting on the nonprofit religious organization's website
44 ~~suggests amounts that participants may voluntarily give with no~~
45 ~~assumption of risk or promise to pay among the participants or~~
46 ~~between the participants.~~

47 (2) This section does not prevent:

48 (a) The organization described in subsection (1) from
49 acting as a facilitator among participants who have financial or
50 medical needs to assist those with financial or medical needs in
51 accordance with criteria established by the organization;
52 ~~establishing qualifications of participation relating to the~~
53 ~~health of a prospective participant, does not prevent~~

54 (b) A participant from limiting the financial or medical
55 needs that may be eligible for payment; ~~or, and does not prevent~~

56 (c) The organization from canceling the membership of a
57 participant when such participant indicates his or her
58 unwillingness to participate by failing to meet the conditions
59 of membership ~~make a payment to another participant~~ for a period
60 in excess of 60 days.

61 (3) The nonprofit religious organization described in
62 subsection (1) shall provide a written disclaimer on or
63 accompanying all applications and guideline materials
64 distributed by or on behalf of the nonprofit religious
65 organization. The disclaimer must read in substance: "Notice:
66 The organization facilitating the sharing of medical expenses is

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67 | not an insurance company, and neither its guidelines nor plan of
68 | operation is an insurance policy. Membership is not offered
69 | through an insurance company, and the organization is not
70 | subject to the regulatory requirements or consumer protections
71 | of the Florida Insurance Code. Whether anyone chooses to assist
72 | you with your medical bills will be totally voluntary because no
73 | other participant is compelled by law to contribute toward your
74 | medical bills. As such, participation in the organization or a
75 | subscription to any of its documents should never be considered
76 | to be insurance. Regardless of whether you receive any payments
77 | for medical expenses or whether this organization continues to
78 | operate, you are always personally responsible for the payment
79 | of your own medical bills." ~~each prospective participant in the~~
80 | ~~organizational clearinghouse written notice that the~~
81 | ~~organization is not an insurance company, that membership is not~~
82 | ~~offered through an insurance company, and that the organization~~
83 | ~~is not subject to the regulatory requirements or consumer~~
84 | ~~protections of the Florida Insurance Code.~~

85 | Section 2. This act shall take effect July 1, 2018.

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