1	A bill to be entitled
2	An act relating to the Florida Insurance Code
3	exemption for nonprofit religious organizations;
4	amending s. 624.1265, F.S.; revising criteria under
5	which a nonprofit religious organization that
6	facilitates the sharing of contributions among its
7	participants for financial, physical, or medical needs
8	is exempt from requirements of the code; revising
9	construction; revising requirements for a notice
10	provided by the organization; providing an effective
11	date.
12	
13	Be It Enacted by the Legislature of the State of Florida:
14	
15	Section 1. Section 624.1265, Florida Statutes, is amended
16	to read:
17	624.1265 Nonprofit religious organization exemption;
18	authority; notice
19	(1) A nonprofit religious organization is not subject to
20	the requirements of the Florida Insurance Code if the nonprofit
21	religious organization:
22	(a) Qualifies under Title 26, s. 501 of the Internal
23	Revenue Code of 1986, as amended;
24	(b) Limits its participants to those members who share a
25	common set of ethical or religious beliefs of the same religion;
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26	<u>(c)</u> Acts as <u>a facilitator among</u> an organizational
27	clearinghouse for information between participants who have
28	financial, physical, or medical needs to assist those with
29	financial or medical needs in accordance with criteria
30	established by the nonprofit religious organization and
31	participants who have the ability to pay for the benefit of
32	those participants who have financial, physical, or medical
33	needs;
34	(d) Provides for the financial or medical needs of a
35	participant through contributions from other participants, or
36	through payments directly from one participant to another
37	participant; and
38	(e) Provides amounts that participants may contribute,
39	with no assumption of risk and no promise to pay:
40	1. Among the participants; or
41	2. By the nonprofit religious organization to the
42	participants;
42 43	<u>participants;</u> (f) Provides monthly to the participants the total dollar
43	(f) Provides monthly to the participants the total dollar
43 44	(f) Provides monthly to the participants the total dollar amount of qualified needs actually shared in the previous month in accordance with criteria established by the nonprofit
43 44 45	(f) Provides monthly to the participants the total dollar amount of qualified needs actually shared in the previous month in accordance with criteria established by the nonprofit
43 44 45 46	(f) Provides monthly to the participants the total dollar amount of qualified needs actually shared in the previous month in accordance with criteria established by the nonprofit religious organization; and (g) Conducts an annual audit that is performed by an
43 44 45 46 47	(f) Provides monthly to the participants the total dollar amount of qualified needs actually shared in the previous month in accordance with criteria established by the nonprofit religious organization; and (g) Conducts an annual audit that is performed by an independent certified public accounting firm in accordance with
43 44 45 46 47 48	(f) Provides monthly to the participants the total dollar amount of qualified needs actually shared in the previous month in accordance with criteria established by the nonprofit religious organization; and (g) Conducts an annual audit that is performed by an independent certified public accounting firm in accordance with generally accepted accounting principles and that is made

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posting on the nonprofit religious organization's website 51 52 suggests amounts that participants may voluntarily give with no 53 assumption of risk or promise to pay among the participants or 54 between the participants. 55 (2) This section does not prevent: 56 The organization described in subsection (1) from (a) 57 acting as a facilitator among participants who have financial or medical needs to assist those with financial or medical needs in 58 59 accordance with criteria established by the organization; establishing qualifications of participation relating to the 60 61 health of a prospective participant, does not prevent 62 (b) A participant from limiting the financial or medical needs that may be eligible for payment; or, and does not prevent 63 64 The organization from canceling the membership of a (C) 65 participant when such participant indicates his or her 66 unwillingness to participate by failing to meet the conditions 67 of membership make a payment to another participant for a period 68 in excess of 60 days. 69 The nonprofit religious organization described in (3) 70 subsection (1) shall provide a written disclaimer on or 71 accompanying all applications and guideline materials 72 distributed by or on behalf of the nonprofit religious organization. The disclaimer must read in substance: "Notice: 73 74 The organization facilitating the sharing of medical expenses is not an insurance company, and neither its guidelines nor plan of 75

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operation is an insurance policy. Membership is not offered
through an insurance company, and the organization is not
subject to the regulatory requirements or consumer protections
of the Florida Insurance Code. Whether anyone chooses to assist
you with your medical bills will be totally voluntary because no
other participant is compelled by law to contribute toward your
medical bills. As such, participation in the organization or a
subscription to any of its documents should never be considered
to be insurance. Regardless of whether you receive any payments
for medical expenses or whether this organization continues to
operate, you are always personally responsible for the payment
of your own medical bills." each prospective participant in the
organizational clearinghouse written notice that the
organization is not an insurance company, that membership is not
offered through an insurance company, and that the organization
is not subject to the regulatory requirements or consumer
protections of the Florida Insurance Code.
Section 2. This act shall take effect July 1, 2018.

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