

LD 1628, An Act To Exempt Nonprofit Agricultural Membership Organizations from Insurance Requirements

SUMMARY:

This bill exempts statewide nonprofit agricultural membership organizations that provide health care benefits and that meet certain requirements from the definition of "health insurance" under the Maine Insurance Code.

CURRENT LAW:

The Maine Insurance Code defines “health insurance” in [24-A MRSA Section 704](#). Under current law, “health insurance” means insurance of human beings against bodily injury, disablement or death by accident or accidental means, or the expense thereof, or against disablement or expense resulting from sickness, and every insurance appertaining thereto, including provision for the mental and emotional welfare of human beings by defraying the costs of legal services only to the extent provided for in chapter 38.

There is one exemption in section 704, subsection 3 that states that health insurance does not include a health sharing ministry and a health sharing ministry is not considered to be engaging in the business of insurance. The law defines a health sharing ministry.

TESTIMONY: Written testimony can be found at this [link](#)

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ISSUES FOR CONSIDERATION:

1. Representatives of Maine Farm Bureau provided information about intent to provide coverage currently offered in several other states and that coverage would be modeled on what is offered through Tennessee Farm Bureau.
2. Concerns raised by the Bureau of Insurance about the ability to provide coverage in Maine not regulated by the Bureau? Concerns about ability to provide financial oversight to ensure claims are paid? Concerns about lack of standards for coverage?
3. Consider availability of other options to provide health insurance coverage? Under current law, there is a regulatory option for an association to provide health insurance coverage to its members as a multiple-employer welfare arrangement. MEWA's are a type of self-insured health plan subject to State oversight and regulation. The laws regulating MEWA's are found in [24-A MRSA chapter 81](#).
4. Consider availability of coverage through federal Affordable Care Act and recent changes to expand eligibility for subsidies (advanced premium tax credits) and extended special enrollment periods?

FISCAL INFORMATION:

Not yet determined