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HOUSE BILL 271

**57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

INTRODUCED BY

Rod Montoya and Jenifer Jones

AN ACT

RELATING TO HEALTH CARE; DISTINGUISHING HEALTH CARE SHARING  
MINISTRIES FROM INSURERS AS DEFINED BY THE NEW MEXICO INSURANCE  
CODE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the New Mexico Insurance Code  
is enacted to read:

"[NEW MATERIAL] HEALTH CARE SHARING MINISTRY.--

A. For purposes of this section, "health care  
sharing ministry" means a faith-based, nonprofit organization  
that is tax-exempt under the federal Internal Revenue Code of  
1986 and that:

- (1) limits its participants to those who are  
of a similar faith;
- (2) meets the requirements of 26 USCA

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1 5000A(d)(2)(B)(i) and (ii)(I) through (V); and

2 (3) provides for the financial and medical  
3 needs of a participant through the coordination of  
4 contributions from other participants.

5 B. A health care sharing ministry shall:

6 (1) suggest dollar amounts that participants  
7 may contribute with no assumption of risk or promise to pay  
8 among the participants and no assumption of risk or promise to  
9 pay by the health care sharing ministry to the participants;

10 (2) provide a written monthly statement to all  
11 participants that lists the total dollar amount of qualified  
12 needs submitted to the health care sharing ministry and the  
13 amount actually published or assigned to participants for their  
14 contribution; and

15 (3) provide a written disclaimer on or  
16 accompanying all applications and guideline materials  
17 distributed by or on behalf of the ministry that reads, in  
18 substance:

19 "Notice: The organization facilitating the sharing of  
20 medical expenses is not an insurance company, and the health  
21 care sharing ministry's guidelines and plan of operation are  
22 not an insurance policy. Whether anyone chooses to assist you  
23 with your medical bills will be completely voluntary because  
24 participants are not compelled by law to contribute toward your  
25 medical bills. Therefore, participation in the ministry or a

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1 subscription to any of its documents should not be considered  
2 to be insurance. Regardless of whether you receive any payment  
3 for medical expenses or whether this organization continues to  
4 operate, you are always personally responsible for the payment  
5 of your own medical bills.".

6 C. A health care sharing ministry shall not be  
7 considered an insurer as defined by the Insurance Code."

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