WEST VIRGINIA CODE: §35-1B-4

§35-1B-4. Definition.

"Health care sharing ministry" for purposes of this article means a not for profit organization:

(a) Whose members are limited to those who share a common set of ethical or religious beliefs and share medical expenses among members in accordance with those beliefs without regard to the state in which a member resides or is employed;

(b) That provides for the financial or medical needs of a member through contributions from other members;

(c) Whose members retain membership even after they develop a medical condition;

(d) Provides amounts that members may contribute with no assumption of risk or promise to pay among the members and no assumption of risk or promise to pay by the health care sharing ministry to the members;

(e) Provides to the members annually the total dollar amount of qualified needs actually shared in the previous year in accordance with criteria established by the health care sharing ministry;

(f) Conducts an annual audit which is performed by an independent certified public accounting firm in accordance with generally accepted accounting principles and which is made available to the public by providing a copy upon request, or by posting on the organization’s website; and

(g) Provides a written disclaimer on or accompanying all applications and guideline materials distributed by or on behalf of the organization that is substantially similar to the following: Notice: The organization facilitating the sharing of medical expenses is not an insurance company, and neither its guidelines nor plan of operation is an insurance policy. Whether anyone chooses to assist you with your medical bills will be totally voluntary because no other participant will be 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. Complaints concerning this health care sharing ministry may be reported to the Attorney General of your state.

WV Legislature