

Health mandate exempts sharers No insurance rule for care ministries

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About 100,000 members — and more than 800 Arkansans — belong to healthcare-sharing religious ministries that will escape the new mandate to buy health insurance.

Most Americans will face a fine if they don't buy insurance by 2014, but Congress exempted healthcare-sharing ministries after Democrats and Republicans agreed that the groups — who don't guarantee claims will be paid — should be protected.

That was welcome news for Todd Davis and his family. Davis, a Presbyterian minister at Christ Church in Searcy, is married with five children, who range in age from infant to 17.

Davis belongs to Medi-Share, a health-sharing ministry run by Christian Care Ministry. The Melbourne, Fla., nonprofit has about 37,000 members, including nearly 400 in Arkansas. For the past half-dozen years or so, Davis has paid about \$250 in monthly pledges.

That's about one-third of what Blue Cross had charged his family in monthly premiums, he said.

The family's pledges are distributed to other ministry members who have healthcare bills. When the Davises have medical expenses above their deductibles, the pledges of other ministry members help cover the expenses.

Critics say health-caresharing ministries aren't regulated like insurance companies and are riskier than standard insurers.

But all of Davis' claims have been paid and he says he's very happy with the arrangement.

"We don't go to the doctor near as much as we used to do. We go more now when we need to than as a matter of convenience for every sniffle," Davis said.

Three major health-caresharing ministries make up most of the ministry-sharing market: Christian Care; Samaritan Ministries in Peoria, Ill.; and Ohio-based Christian Healthcare Ministries.

James Lansberry, vice president at Samaritan, said the industry saw the 2006 Massachusetts law mandating health-insurance coverage as a wake-up call to start working on Congress for a federal exemption in the health-care overhaul.

In the House, U.S. Rep. Tom Perriello, a Virginia Democrat, proved helpful. And Republican Sen. Charles Grassley of Iowa and Democratic Sen. Max Baucus of Montana did much of the heavy lifting to get the exemption into the Senate bill and keep it there as the contentious law wound its way to passage.

In an Oct. 15 letter to House leadership, Perriello advocated for the exemption as way to balance "religious freedom and governmental responsibility."

Grassley requested a telephone conference with the major ministries to educate himself on the concept, said Robert Baldwin, president of Christian Care Ministry.

Baldwin said the sharing ministries focus on wellness and preventative medicine. Members are required to abstain from tobacco and illegal drugs. They also promise not to abuse alcohol. Weight limits exist but they are set to people with body mass indexes of more than 40, which is morbidly obese, he said. (For example, a 6-footall man would have to weigh 295 pounds to have a BMI of 40).

Other requirements are that members be Christians and that their churches vouch for them.

"The whole idea is to create a culture of health. We take a biblical approach, not just about diet and exercise, but what the Bible says about health," Baldwin said.

Abortion and birth control are not covered by the plans.

The new law will require most Americans to acquire health insurance by 2014 or pay a fine of \$95 for individuals or \$285 for families or 1 percent of income, whichever is greater.

By 2016 the same penalty structure increases to \$695 for individuals and \$2,085 for families or 2.5 percent of income — whichever is more.

How much sharing ministries will grow in the coming years is an open question — no spike occurred in the weeks after the law was signed — but ministry officials are ready.

"I expect there to be potential upturn by 2014," Lansberry said.

Some states have tried to prevent the sharing ministries from operating, and Medi-Share withdrew from Montana after that state's insurance commissioner required the group to post a \$1.5 million bond if it wanted to stay in business.

In Arkansas, the state Insurance Department hasn't taken action against any of the major groups. The department is aware of the exemption, said spokesman Alice Jones.

"We would have to look at any plan on its own fact in order to determine if it is offering an insurance product as defined by Arkansas law," Jones.

A federal lawsuit filed in Virginia by Liberty University charges that the sharing ministries exemption — along with another religious conscience exemption that is probably only applicable to Old Order Amish — violates the Constitution's Establishment Clause barring government promotion of religion.

By exempting some religions from insurance mandates, the government is favoring some religions over others, said Mathew D. Staver dean of the Lynchburg, Va.-based evangelical university's law school.

"You might have other Christians who have strong religious convictions against health care or this particular health care and yet they don't get the same treatment," Staver said.

Liberty, which is self-insured, doesn't mandate that its employees accept coverage and the coverage it does offer "is consistent with the University's core Christian values — including the sanctity of human life," according to the suit.

Liberty didn't receive an exemption in the law.

Lansberry, the Samaritan official, disputed the legal argument, saying that the exemptions have historical precedent dating back to the creation of Medicare and overhaul of Social Security in the 1960s, when the Amish were exempted, because they objected to the new laws on religious grounds.

“Our organizations are not state churches, all we’re doing is getting a religious exemption consistent with how the government has been treating Amish,” Lansberry said. “It’s a liberty issue.”