

Rep. Huffman re-introduces bill to stymie dangerous health share practices

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Recently, Congressman Jared Huffman (D-San Rafael), co-founder and co-chair of the Congressional Freethought Caucus (CFC), re-introduced the Health Share Transparency Act, which would protect people from deceptive practices by Health Care Sharing Ministries and expand consumer access to accurate information about health coverage options. The bill would ensure that Health Shares provide clear information to consumers before they enroll in coverage, it would hold Health Shares accountable should they fail to make accurate and timely disclosures. Reps. Jamie Raskin (MD-08), Mark Pocan (WI-02), Eleanor Holmes Norton (DC), and Sean Casten (IL-06) joined Huffman as original cosponsors of the legislation.

Health Shares are a limited form of health coverage that require members – who must share a common set of religious or ethical beliefs – to submit monthly payments to cover the qualified expenses of other members. Health Shares do not have to comply with the consumer protections of the Affordable Care Act, provide limited benefits for their members, and do not guarantee payment for medical claims. Recent data shows

Health Shares deem only half of members' health expenses eligible for reimbursement. They also exclude coverage altogether for services such as abortions, contraception, mental health, substance use disorders, chronic conditions, certain preexisting conditions, and even maternity care.

With more for-profit administrators taking advantage of loopholes to market Health Shares to broader audiences through deceptive practices, roughly 1.7 million Americans have now enrolled and are at serious risk of being denied necessary treatments and services.

"Health Care Sharing Ministries prey on citizens in search of care, using overt appeals to religion as a veil to avoid criticism and regulation. It is completely unconscionable that an entity would trick consumers into purchasing inadequate health coverage, leaving folks to hold the bag and risk bankruptcy when they need help the most," said Rep. Huffman. "The threat posed by these unregulated, deceptive Health Shares demands federal action. As consumers begin shopping for health care this open enrollment season, we need to ramp up our efforts to protect them from Health Shares' predatory practices. And that starts with having accurate information at hand to ensure consumers can make the best choices possible for themselves and their loved ones, which is what our bill would do."

The Health Share

Transparency Act will:

Empower consumers with the knowledge to distinguish between comprehensive, regulated health insurance products and Health Shares by requiring disclosures by Health Shares during the enrollment process.

Provide new data for regulators to assess the threat Health Shares pose to Public Health including rates of service denials, enrollment, service area, average out of pocket expenses for Health Share Members, and the contents of complaints received by the Federal Trade Commission (FTC).

Ensure health insurance brokers selling Health Shares inform consumers if they are eligible for better, more comprehensive forms of health coverage including the ACA, Medicaid, or Medicare, and accurately describe the scope of benefits provided by Health Shares.

In October 2021, Representatives Huffman and Raskin led a letter on behalf of the Congressional Freethought Caucus to Samuel Levine, Acting Chairman of the Federal Trade Commission (FTC) Bureau of Consumer Protection, urging the agency to take necessary steps to protect consumers from the dangers presented by HCSMs.

"We commend Rep. Huffman for his dedication to protecting consumers from the dangerous practices of Health Care Sharing Ministries. The reintroduction of the Health Share Transparency Act demonstrates Rep. Huffman's commitment to ensuring that Americans have access to accurate and transparent information about their healthcare options. Health care should never be conditioned on adherence to someone else's religious dogma. The Health Share Transparency Act is a vital step toward safeguarding the health and well-being of individuals and families across the nation. We wholeheartedly support Rep. Huffman's efforts in championing this important cause," said Annie Laurie Gaylor, President of FFRF Action Fund.

“As Open Enrollment begins, we know that quality health insurance is essential for cancer patients. But too often, people – including cancer patients - enroll in a health care sharing ministry thinking they are covered only to find out later that they can’t access the care they need. We applaud Rep. Huffman for introducing this important legislation which will help us learn more about health coverage that frequently leaves patients exposed to both physical and financial harm,” said Dr. Gwen Nicholas, Chief Medical Officer of the Leukemia & Lymphoma Society.

“This legislation will greatly aid patients and their families by creating guardrails and requiring greater transparency on what health care sharing ministries are and are not,” said Randall Rutta, Chief Executive Officer of the National Health Council. “If enacted, the law will help educate people on the risk of accidentally purchasing inadequate health plans that could lead to both poor health outcomes and financial burden.”

“Healthcare sharing ministries have taken full advantage of special government carve outs by utilizing religion to deceive their members and pocket their cash when they are most in need of care,” said Lily Bolourian, Legal and Policy Director of the American Humanist Association. “Representative Huffman’s bill aims to challenge the limited oversight health shares have enjoyed and seeks to bolster the accountability and transparency of this pseudo ‘coverage’. The American Humanist Association is thankful for Mr. Huffman bringing attention to this issue, and is proud to support his effort to ensure consumers are protected and informed.”

The bill is endorsed by the National Health Council, Leukemia and Lymphoma Society, the Epilepsy Foundation, the American Lung Association, the Interfaith Alliance, the Freedom From Religion Foundation, the American Humanists Association, the Secular Coalition of America, American Atheists, Susan G Komen, the National Alliance on Mental Illness (NAMI), the National Eczema Society, the Equality Federation, Equality California, Silver State Equality and the Center for Inquiry, the National Organization for Rare Disorders (NORD), and the Bayard Rustin Liberation Initiative.