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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Office

S.B. 100
136th General Assembly

Final Analysis

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Primary Sponsor: Sen. Manchester

Effective date:*

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SUMMARY

- Exempts healthcare coverage provided to members by nonprofit agricultural membership organizations from oversight by the Department of Insurance and state insurance regulations.
- Allows the organizations to reinsure the risks associated with the healthcare coverage that they provide.
- Prohibits a nonprofit agricultural membership organization from representing that the healthcare coverage it provides is insurance in any official written materials or verbal communications to current or prospective members and their families.
- Requires, as a condition of the exemption, that the application for healthcare coverage and any contract provided to a member be in writing and prominently state that the coverage is not insurance and is not subject to state insurance laws.

DETAILED ANALYSIS

Nonprofit agricultural membership organizations

The act exempts healthcare coverage provided by nonprofit agricultural membership organizations from Ohio insurance laws. In the context of the act, nonprofit agricultural membership organizations are entities that meet all of the following:

- Incorporated in Ohio on or before December 31, 1919;
- Exist for the purpose of promoting the interests of farmers;
- Provide healthcare coverage exclusively to members of the organization and the members' families pursuant to contracts between the members and the organization or its affiliates.

* The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared. Additionally, the analysis may not reflect action taken by the Governor.

The act specifies that healthcare coverage provided by such organizations is exempt from Ohio insurance laws and from oversight by the Superintendent of Insurance if all of the following conditions are met:

- The healthcare coverage is provided only to the organization’s members;
- The application for healthcare coverage and any contract provided to a member is in writing;
- The application for healthcare coverage and any contract provided to a member prominently states both of the following:
 - The healthcare coverage is not insurance;
 - The healthcare coverage is not subject to the laws and rules of this state governing insurance.

A nonprofit agricultural membership association that provides such healthcare coverage is prohibited from representing that coverage as insurance in any material marketing. “Material marketing” is defined by the act as the official written materials and verbal communications provided to, or directed at, prospective members and members’ families for advertising or marketing purposes. Healthcare coverage provided by the organizations is declared not to be insurance and not to be a health benefit contract. However, the act allows a nonprofit agricultural membership organization to enter into a separate contract whereby the organization’s healthcare obligations to members are assumed or reinsured by an insurer licensed in Ohio.¹

The act’s definition of nonprofit agricultural membership organization appears to include the Ohio Farm Bureau, which was established in 1919. The Farm Bureau offers members health insurance options and medical reimbursement plans.²

HISTORY

Action	Date
Introduced	02-10-25
Reported, S. Financial Institutions, Insurance, and Technology	04-02-25
Passed Senate (32-0)	04-02-25
Reported, H. Insurance	05-27-25
Passed House (90-3)	06-04-25

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¹ R.C. 3901.36.

² [What is Ohio Farm Bureau](http://www.ofbf.org), which is available by clicking “About Us” on the Ohio Farm Bureau’s website: [ofbf.org](http://www.ofbf.org).