

Appendix J

Relevant Puerto Rico and Federal Laws and Regulation



ADMINISTRACION DE
SEGUROS DE SALUD

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Contrato Número





APPENDIX J

Applicable Government of Puerto Rico Laws and Regulations¹

- Act No. 72-1993, as amended, known as “Puerto Rico Health Insurance Administration Act”
- ASES Regulation No. 9068, approved on March 29, 2019, known as “General Regulation of the Health Insurance Administration of Puerto Rico”
- ASES Regulation No. 8446, approved on February 3, 2014, known as “Regulation for the Imposition of Fines and Economic Sanctions and Procedure for Resolution and Adjudication of Related Complaints”
- Act No. 77 of June 19, 1957, as amended, known as the “Insurance Code of Puerto Rico”, and its applicable regulations
- Act No. 81 of May 14, 1912, as amended, known as “Health Department Act”
- Act No. 225 of July 23, 1974, as amended, which authorizes ambulance services under the Commission for Public Service, and its applicable regulations
- Act No. 86-1997, as amended, which authorizes priority access to public services for residents of Vieques and Culebra
- Act No. 227-1999, as amended, known as “Act to Implement the Public Policy on Suicide Prevention”
- Act No. 194-2000, as amended, known as “Bill of Rights and Responsibilities of the Patient”
- Act No. 408-2000, as amended, known as “Mental Health Code of 2000”
- Act No. 247-2004, as amended, known as the “Puerto Rico Pharmacy Act”
- Act No. 111-2005, as amended, known as the “Citizen Information on Data Banks Security Act”
- Act No. 243-2006, which sets forth the public policy on the use of the social security number as means of identification verification and on the protection of its confidentiality
- Act No. 139-2008, as amended, known as “Medical Discipline and Licensure Board Act”
- Act No. 77-2013, as amended, known as “Commonwealth of Puerto Rico Patient Advocate Act”
- Act. No. 126-2013, known as “Puerto Rico Interagency Service Protocol for the Elderly Living in Subhuman Conditions Act”
- Act No. 121-2019, as amended, known as “Bill of Rights and Public Policy of the Government in Support of Older Adults”
- Act No. 1-2012, as amended, known as “Puerto Rico Government Ethics Act of 2011”
- Act No. 38-2017, as amended, known as “Government of Puerto Rico Uniform Administrative Procedure Act”
- Act No. 2-2018, as amended, known as “Anticorruption Code for the New Puerto Rico”

Applicable Federal Laws and Regulations

- The Social Security Act, Public Law No., 74-271, including Titles VI, VII, XIX and XXI

¹ The legislation and regulations cited herein are not intended to be exhaustive. Any regulation not expressly included shall not be considered as inapplicable to this contract.

Relevant Puerto Rico and Federal Laws and Regulations

- Puerto Rico Health Department's State Plan ("Medicaid State Plan" and CHIP State Plan")
- Federal rules and Regulations as established by the Centers for Medicare & Medicaid Services ("CMS") and the Checklist for Managed Care Contract Approval" including, **but not limited to:**
 - 42 CFR 405.2402
 - 42 CFR 422.208 and 210 (Physician incentive plans)
 - 42 CFR 422.560 - 422.626
 - 42 CFR 431 (fair hearings and appeals)
 - 42 CFR 433 Subpart D, 42 CFR 447.20 and 42 CFR 434 (third party liability)
 - 42 CFR 434.6 (a)(9)
 - 42 CFR 435.911 and 435.914; 42 CFR 431.52-53 (ambulance services)
 - 42 CFR 438 (managed care) including subsections 56, 60, 66, 206(b), 214, 242
 - 42 CFR 447 (timely claim payment)
 - 42 CFR 447.20
 - 42 CFR 455 (fraud and abuse reporting)
 - 42 CFR Part 455.104
 - 42 CFR Part 455.106
 - 45 CFR 74.53 (retention requirements for records)
- Davis-Bacon Act, 40 U.S.C. 3141 *et seq.*
- Copeland Anti-Kickback Act, 18 U.C.S. 874
- Fair Labor Standards Act of 1938, 29 U.S.C. 201 *et seq.*
- Clean Air Act, 42 U.S.C. 7401 *et seq.*
- Federal Water Pollution Control Act, 33 U.S.C. 1251 *et seq.*
- Federal Rehabilitation Act of 1973, 29 U.S.C. 701 *et seq.*
- Byrd Anti-Lobbing Amendment, 31 U.S.C. 1352
- The Health Insurance Portability and Accountability Act of 1996 (HIPAA)
- Americans with Disabilities Act, 42 USC 12101 *et seq.*
- Mental Health Parity and Addiction Equity Act of 2008, Public Law No. 110-343
- Patient Protection and Affordable Care Act, Public Law No. 111-148.