

Attachment #1 – DESIGNATED LAWS

This attachment is provided only as guidance to the Contractor. It is not an exhaustive list of all applicable laws and regulations. Contractor is responsible for ensuring compliance with all applicable state and federal laws.

Applicable Government laws and regulations:

- Act 72 of September 7, 1993, including all of its amendments, known as “Puerto Rico Health Insurance Administration Law”, and its applicable regulations.
- ASES General Rules and Regulations, No. 5253 of June 19, 1995, and ASES Regulations for the Imposition of Fines and Economic Sanctions for Breach of Contract of Underwriters and/or Health Services Organizations and to Establish the Procedure for Resolution and Adjudication of Related Complaints, Regulation No. 8446.
- Act 77 of June 19, 1957, as amended, known as “Puerto Rico Insurance Code” and corresponding regulations, as applicable
- Act 81 of March 14, 1912; as amended, known as “Organic Law for the Puerto Rico Health Department”, and corresponding regulations, as applicable.
- Act 194 of August 25, 2000, as amended, known as “The Declaration of Patient’s Rights and Responsibilities”, and corresponding regulations, as applicable.
- Act 408 of October 2, 2000, as amended, known as “Mental Health Code”, and corresponding regulations, as applicable.
- Act 77 of June 24, 2013, as amended, known as the “Law of the Patient Advocate”, and corresponding regulations, as applicable.
- Act 247 of September 3, 2004, as amended, known as the “Puerto Rico Pharmacy Law”, and corresponding regulations, as applicable.
- Act 139 of August 1, 2008, as amended, known as “Law for the Medical Licensing and Discipline Board”, and corresponding regulations, as applicable.
- Act 109 of June 28, 1962, as amended, known as “Law for the Puerto Rico Public Service”, and corresponding regulations, as applicable.
- Act 225 of July 23, 1974, as amended, known as “Law for Ambulance Operation and Services”, and corresponding regulations, as applicable.
- The Public Services Commission’s Regulations for Ambulance Services in Puerto Rico”, Regulation No. 6737 of December 16, 2003, as applicable.
- Act 86 of August 16, 1997, as amended, known as “Law Granting Priority for Individuals with Pending Business traveling between Puerto Rico and Vieques and/or Culebra”, and corresponding regulations, as applicable.

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- Act 227 of August 12, 1999, as amended, known as “Law for the Commission to Implement the Public Policy on Suicide Prevention” and corresponding regulations, as applicable.
- Act 243 of November 10, 2006, known as “Law to Establish the Public Policy Concerning the Use of the Social Security Number for Identification”, and corresponding regulations, as applicable.
- Act. No. 2 de January 4, 2018, known as “Anticorruption Code for the New Puerto Rico”, and its applicable regulations.
- Act No. 1 of January 3, 2012, as amended, known as the “Government Ethics Law of 2011”, and its applicable regulations.
- Act 38 of June 30, 2017, known as the “Puerto Rico Uniform Administrative Proceeding Law”.
- Act 111 of September 7, 2005, as amended, known as the “Law for Informing Citizens of the Security of Data Banks”, and its applicable regulations.
- Act 80 of June 3, 2011, known as “Industrial and Trade Secret Protection Act of Puerto Rico”
- Act No. 126 of October 31, 2013, as amended, known as “Law for the Protocol of Interagency Services for the Elderly Population Living in Infrahuman Conditions”.
- Act No. 121 of July 12, 1986, as amended, known as “The Declaration of Elderly’s Rights”.
- Act No. 352 of December 22, 1999, known as “Law Requiring Coverage of General Anesthesia for Minor and Disable Individuals”.
- Act No. 212 of August 9, 2008, known as “Law for the Coverage of Clinical Services for Patients with Morbid Obesity and Metabolic Syndrome”.
- Act No. 120 of July 16, 2015, known as “Law to Include Pulmonary Hypertension in the Special Coverage Provided by the Health Insurance Administration”.
- Act No. 4 of June 23 of 1971, known as the “Controlled Substances Law of Puerto Rico”
- ASES Normative Letters.

Applicable Federal Laws and Regulations:

- Puerto Rico Health Department’s State Plan (“Medicaid State Plan” and CHIP State Plan”).
- The Social Security Act, including Titles VII, XI, XIX and XXI.

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Federal regulations as established by the Center for Medicare & Medicaid Services (“CMS”) including, but not limited to: 42 CFR part 438 (managed care), 42 CFR part 431 (fair hearings and appeals); 42 CFR part 455 (fraud and abuse reporting); 42 CFR part 447 (timely claim payment); 45 CFR part 75 (as applicable); 42 CFR part 433, Subpart D; 42 CFR 431.53 (ambulance services); and 42 CFR 405.2402 (rural health clinic basic requirements).

- Davis-Bacon Act, 40 U.S.C. 276a et seq.).



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- Federal False Claims Act, 31 U.S.C. § 3729.
- Copeland Anti-Kickback Act, 40 U.S.C 3145..
- 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 as Amended, 33 U.S.C. 1251 et seq.
- Federal Rehabilitation Act of 1973.
- Byrd Anti-Lobbing Amendment, 31 U.S.C. 1352
- The Clinical Laboratory Improvement Amendments of 1988.
- The Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, including its Omnibus Rule (“HIPAA”), applicable provisions of the Health Information Technology for Economic and Clinical Health Act as incorporated in the American Recovery and Reinvestment Act of 2009 (“HITECH”), and their accompanying regulations, including the Privacy Rule (as defined herein) and the Security Rule (as defined herein). “Privacy Rule” means the Standards for Privacy of Individually Identifiable Health Information at 45 CFR, part 160 and part 164, subparts A and E, providing for federal privacy protections for an individual’s PHI held by entities subject to HIPAA requirements (each, a “Covered Entity”) and describing patient rights with respect to their PHI. “Security Rule” means HIPAA Security Standards (45 C.F.R. Parts 160, 162, and 164).
- Americans with Disabilities Act, 42 U.S.C. 12101 et seq.
- Medicare Modernization Act of 2003, P.L. 108-173.
- Mental Health Parity and Addiction Equity Act of 2008, P.L. 110-343.
- American Recovery and Reinvestment Act of 2009, P.L. 111-5.
- Patient Protection and Affordable Care Act of 2010, P.L. 111-148.

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