

ATTACHMENT 1

APPLICABLE GOVERNMENT LAWS AND REGULATIONS

Applicable Government laws and regulations:

- Act 72 of September 7, 1993, as amended, known as “Puerto Rico Health Insurance Administration Law”
- ASES General Rules and Regulations, No. 9068 of March 29, 2019.
- Puerto Rico Insurance Code and its applicable regulations, as amended
- Act 81 of March 14, 1912, as amended, known as “Organic Law for the Puerto Rico Health Department”
- Act 194 of August 25, 2000, as amended, known as “The Declaration of Patient’s Rights and Responsibilities
- Act 408 of October 2, 2000, as amended, known as “Mental Health Code”
- Act 77 of June 24, 2013, as amended, known as the “Law of the Office of the Office of Patient Advocate”
- “Puerto Rico Pharmacy Law”
- Act 139 of August 1, 2008, as amended, known as “Law for the Medical Licensing and Discipline Board”
- Act 109 of June 28, 1974, as amended, known as “Law for the Puerto Rico Public Services Commission”
- Act 225 of July 23, 1974, as amended, known as “Law for Ambulance Services”
- The Public Services Commission’s Regulations for ambulance services in Puerto Rico, Regulation No. 6737 of December 16, 2003.
- Act 86 of August 16, 1997, as amended, known as “Law for the Residents of Culebra and Vieques”
- Act 227 of August 12, 1999, as amended, known as “Act to Implement the Public Policy on Suicide Prevention”
- 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 the Protection of its Confidentiality”
- Act. No. 2 de January 4, 2018, as amended, known as “Anticorruption Code for the New Puerto Rico”
- Act No. 1 of January 3, 2012, as amended, known as the “Government Ethics Law of 2011”
- Act 38 of June 30, 2017, as amended, 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
- Act 80 of June 3, 2011 known as “Industrial and Trade Secret Protection Act of Puerto Rico” (See Section 2.3.9 of this RFP– Disclosure of Proposal Contents)

ADMINISTRACION DE SEGUROS DE SALUD, ASES Regulations for the Imposition of Fines and Economic Sanctions for Breach of Contract of Underwriters and/or Health Services

№ 23 - 0045

Contrato Número

EMR

[Signature]

Organizations and to Establish the Procedure for Resolution and Adjudication of Related Complaints, Regulation No. 8446.

- Act No. 352 of December 22, 1999; 24 L.P.R.A. § 7061, et. seq.
- Act No. 212 of August 9, 2008; 24 L.P.R.A. § 7072, et. seq.
- Act No. 177 of August 13, 2016, as amended.
- Act No. 47 of July 23, 2017, as amended.
- Act 114 of July 30, 2010.
- ASES Normative Letters – available at ASES web page

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
- 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 (Application Programming Interface requirements); 42 CFR part 455 (fraud and abuse reporting); 42 CFR part 447 (timely claim payment); 45 CFR part 75 (as applicable); 45 CFR 170.215 (Application Programming Interface standards); 42 CFR part 433, Subpart D; 42 CFR 431.53 (ambulance services); and 42 CFR 405.2402 (Davis-Bacon Act, 40 U.S.C. 276a et seq.)
- Copeland Anti-Kickback Act, 40 U.S.C 276c
- 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 (HIPAA);
- 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; and
- Patient Protection and Affordable Care Act of 2010, P.L. 111-148
- Medicaid Laws, regulations and requirements pertain only to the Medicaid population.

*See also Appendix K of the RFP #MCO 2022.

**ADMINISTRACION DE
SEGUROS DE SALUD**

Nº 23 - 0045

Contrato Número

EMR

[Signature]