

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)
- ASES Regulations for the Imposition of Fines and Economic Sanctions for Breach of Contract of Underwriters and/or Health Services

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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.

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

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