



February 1, 2024

Circular Letter of the PRHIA Compliance Office- 24-0102

To: All Managed Care Organization (MCOs) contracted by the Puerto Rico Health Insurance Administration (PRHIA) under the Vital Program.

Re: Request of Information to all MCOs regarding Behavioral Health Services

Receive a cordial greeting from the Compliance Office of the Puerto Rico Health Insurance Administration. The 45 CFR 156.20 defines Downstream Entity, as any party, included an agent or broker, that enters into an agreement with a delegated entity for the purpose of providing administrative or health care services related to the agreement delegated entity and a Qualified Health Plan issuer (QHP)¹. This term reaches all entities that directly provide health care services or administrative services to qualified individuals, employers, employees, and their dependents. 45 CFR 156.340, states that a QHP issuer has the responsibility for the compliance and the compliance of any of its downstream entities with all applicable federal standards.

As stated in Article 7- Covered Services and Benefits, of the current Vital Contract, Behavioral Health Coverage must be available to all enrollees of the Government Health Plan (GHP). The article also provides guidance of what a Covered Behavioral Health Services must include. Article 8- Integration of Physical and Behavioral Health Services, indicates that the MCO's shall ensure that Behavioral Health Services are fully integrated, to ensure optimal detection, prevention, and treatment of Behavioral Health Illness. They are also responsible for identifying Enrollees needs and coordinating proper access to Behavioral Health Services. It also states that in the implementation of a Behavioral Health integrated model, the MCOs, must observe and comply with all protections of Act 408-2000, as amended, "Puerto Rico Mental Health Code", Act 194-2000, as amended, "Puerto Rico Patients Bill of Rights Act" and all applicable local and federal laws and regulations.

Article 18- General Requirements of the Vital Contract states that PRHIA, may at, his discretion, require the MCOs to submit additional reports or data, documentation or information relating to the performance of the MCO's obligations. It also states the information that should be submitted in all reports must be in the manner and format prescribed by PRHIA.

In accordance with Article 18, PRHIA requests from all MCO's that they complete the excel spreadsheet included as an attachment, regarding the compliance of the Behavioral Health Program

¹ 45 CFR 155.20, defines Qualified Health Plan as a health plan that has in effect a certification that it meets the standards described in subpart C of part 156 issued or recognized by each Exchange through which such plan is offered in accordance with the process described in subpart K of part 155



with the current Vital Contract, Laws, and Regulations. As well, as a document that certifies the diligence taken by the MCO's to ensure compliance by their contracted Behavioral Health Services Provider with the Vital Contract and Local and Federal laws and regulations.

This information must be provided on or before the 16 of February of 2024. No extension will be granted. Any MCO, that does not comply with this request of information. PRHIA can impose intermediate sanctions and fines in accordance with Article 19 of the Vital Contract, Act 72-1993 and PRHIA Regulation 8446.

Cordially,

Norberto Negrón Díaz, Esq.
Chief Compliance Officer
Puerto Rico Health Insurance Administration (PRHIA)

c.
Roxanna K. Rosario Serrano, BHE, MS
Executive Director

Appendix