

November 7, 2024

RULING LETTER NO. CN-2024-362-D

TO ALL LICENSEES OF THE OFFICE OF THE COMMISSIONER OF INSURANCE OF PUERTO RICO REQUIRED TO COMPLY WITH THE PROVISIONS OF RULE NO. 108, “CYBERSECURITY STANDARDS FOR THE INSURANCE INDUSTRY.”

STANDARDS FOR REGISTRING IN THE CYBERSECURITY PORTAL IN ORDER TO COMPLY WITH THE REQUIREMENTS OF RULE NO. 108.

To Whom It May Concern:

The Office of the Commissioner of Insurance of Puerto Rico (OCI) adopted Rule No. 108 of the Regulations of the Insurance Code of Puerto Rico, the “*Cybersecurity Standards for the Insurance Industry*” (Rule 108) passed on September 10, 2024 (Reg. No. 9590 Department of State). The purpose of Rule 108 is to establish cybersecurity standards in the insurance industry and standards for investigating and reporting to the Commissioner a cybersecurity incident related to a Licensee’s business.

A *Cybersecurity Portal* has been launched with the intention of establishing effective cybersecurity regulatory standards for the insurance industry and facilitating the adoption of Rule 108 by Licensees. This Portal includes free resources from the National Institute of Standards and Technology (NIST), the Center for Internet Security (CIS), the Cybersecurity and Infrastructure Security Agency (CISA), the Federal Trade Commission (FTC), and the National Association of Insurance Commissioners (NAIC) and include best practices and processes that contribute to improving and maintaining good cyber hygiene. Among the resources that may be found in the cybersecurity portal, the OCI has also included an “[Implementation Guide for Cybersecurity Controls](#)”, which aligns the requirements of Rule 108 to NIST best practices and provides some practical examples. To facilitate compliance with the cybersecurity standards of the insurance industry, a “[Compliance Checklist for Rule No. 108](#)” may also be found in the Portal.

The *Cybersecurity Portal* contains a private access section for licensees that hold an insurance license, authorization, or certificate of authority to transact insurance business in Puerto Rico with over fifteen (15) employees. In this section, licensees may file their Annual Certification of Compliance, notify the Commissioner of a cybersecurity incident, and file

the results of their biannual vulnerability tests, as applicable. These certifications or notifications must only be filed electronically through this portal.

Licensee access to the OCI Cybersecurity Portal shall be granted as set forth below:

- a) Licensees shall have access to the *Cybersecurity Portal* by visiting the following webpage (URL): <https://ciberseguridad.ocs.pr.gov/>
- b) Licensees, whether natural or legal persons, who hold an insurance license, authorization, or certificate of authority to transact insurance business in Puerto Rico with over fifteen (15) employees are required to register in the *Cybersecurity Portal*. Licensees with fifteen (15) or fewer employees shall be exempt.
- c) Licensees register by identifying their OCI-approved license number or NAIC Code and must register their authorized personnel. To register, licensees must use the access authorization form available by clicking here: [Cybersecurity Portal Access Authorization Form](#).
- d) If applicable, the licensee must disclose whether it is an entity covered by the *Health Insurance Portability and Accountability Act of 1996* (HIPAA) or an affiliate of a financial institution under the *Gramm-Leach-Bliley Act* (GLBA).
- e) The licensee must provide the name, surname, corporate email, and title or position of authorized personnel and specify the type of access for each. Registration will only be permitted using the corporate email addresses of authorized individuals. (Authorization will not be granted to personal email accounts, such as Gmail, Hotmail, Yahoo, etc.).
- f) Upon completing the form, the licensee must certify that the users require the requested access to perform their duties. The licensee must acknowledge that the administrative user shall have the authority to add, review, and delete users and other administrators.

Any changes concerning the duties of authorized personnel to revoke or review access to the *Cybersecurity Portal* must be reported to the OCI within two (2) business days. All licensees are required to comply with state and federal laws, government policies regulating access to and use of OCI information, and the *Cybersecurity Portal* Privacy Policy.

All licensees with over fifteen (15) employees who are required to comply with the provisions of Rule 108 must obtain access to the Cybersecurity Portal on or before **December 1, 2024**, following the instructions set forth in this ruling letter.

Strict compliance with the provisions of this ruling letter is hereby required.

Very truly yours,

A handwritten signature in black ink, appearing to read "Alexander S. Adams-Vega". The signature is written in a cursive style with a prominent initial "A" and a long, sweeping underline.

Alexander S. Adams-Vega, Esq.
Commissioner of Insurance of Puerto Rico