



OFFICE OF THE

COMMISSIONER OF INSURANCE

GOVERNMENT OF PUERTO RICO

January 27, 2026

RULING LETTER: CN-2026-373-D

TO ALL HEALTH SERVICES ORGANIZATIONS OR INSURERS THAT WRITE PRIVATE HEALTH INSURANCE PLANS IN PUERTO RICO UNDER THE PUERTO RICO HEALTH INSURANCE CODE.

RE: ADMINISTRATIVE ORDER NUM. 2026-627 DATED JANUARY 27, 2026, ISSUED BY THE PUERTO RICO DEPARTMENT OF HEALTH TO DECLARE AN INFLUENZA EPIDEMIC IN PUERTO RICO DURING THE 2025-2026 SEASON; OBLIGATION OF ALL HEALTH SERVICES ORGANIZATIONS AND INSURERS THAT WRITE PRIVATE HEALTH INSURANCE PLANS IN PUERTO RICO TO PROVIDE TREATMENT, DRUGS, AND DIAGNOSTIC TESTS FOR INFLUENZA; MANDATORY IMMUNIZATION COVERAGE.

To Whom It May Concern:

Due to the increase in the number of influenza cases reported in Puerto Rico during the 2025-2026 season, the Secretary of the Department of Health issued on January 27, 2026, Administrative Order No. 2026-627 (hereinafter, "Administrative Order 627") declaring that the 2025-2026 influenza season has been classified as an epidemic. In Administrative Order 627, the Department of Health reaffirmed the provisions of the Puerto Rico Health Insurance Code, specifically Section 2.050(C)(2), which requires all insurers or health insurance organizations that offer individual or group health insurance plans to provide coverage without cost-sharing requirements for immunizations recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention (ACIP) and the Advisory Committee on Immunization Practices of the Puerto Rico Department of Health. The Department also recommended vaccination against this disease for persons 6 months of age and older as a means of preventing infection and complications from the disease.¹ In Administrative Order 627, the Department of Health also ordered all public and private health insurance to authorize the use of antiviral drugs such as oseltamivir, zanamivir, peramivir, or baloxavir for the treatment of influenza in

¹ <https://www.cdc.gov/mmwr/volumes/74/wr/mm7432a2.htm>

individuals with symptoms consistent with influenza who require such treatment based on medical opinion.

Given the current health situation in Puerto Rico and the provisions of Administrative Order 627, the OCI hereby reaffirms the obligation of all insurers and health services organizations that manage health insurance plans, whether public and private, to cover their insureds as follows:

DIAGNOSTIC TESTS

As provided in Administrative Order 627, we reaffirm that all insurers or health services organizations that provide private health insurance plans are required to cover, as part of the coverage for all insured or subscribers, the diagnostic tests approved by the Food and Drug Administration (FDA) that are necessary to diagnose patients with symptoms consistent with influenza, regardless of the type of influenza virus for which the test is ordered or the types of tests available to detect the virus, based on the criterion of medical necessity.

TREATMENT AND DRUGS

Administrative Order 627 reaffirms that all insurers or health services organizations that provide private health insurance plans are required to cover for the insured or subscribers the FDA-approved treatments and drugs that may be necessary to treat influenza and its symptoms, regardless of the type of influenza for which the physician orders the treatment or drug, based on the criterion of medical necessity set forth in Section 2.030(i) of the Puerto Rico Health Insurance Code.

REQUIRED INFLUENZA IMMUNIZATION COVERAGE

Section 2.050(C)(2) of the Puerto Rico Health Insurance Code, in its relevant part, provides as follows:

C. An issuer or health insurance organization offering group or individual health plans shall, at least, provide coverage and shall not impose any cost-sharing requirements for the following preventive care services, insofar as the covered persons receives the same from a **participating provider**:

(1) Services included in the latest recommendations of the United States Preventive Services Task Force.

(2) Immunizations that have a recommendation in effect from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention and the Advisory Committee on Immunization Practices of the Department of Health of Puerto Rico.

(...)

In accordance with the ACIP recommendation issued on August 28, 2025², adopted by the Department of Health in Administrative Order 627, influenza vaccination is recommended for all persons 6 months of age and older, especially those at higher risk. In compliance with the provisions of Section 2.050(C)(2) of the Puerto Rico Health Insurance Code, we reaffirm the obligation of all insurers and health services organizations offering health insurance plans to cover the influenza vaccine **administered by any provider**, free of copayments, deductibles, or coinsurance for the insured or beneficiary. Payment for immunization services provided should consider separate rates for the service of vaccine administration by a qualified health care professional and another rate for the vaccine being administered.

Strict compliance with the provisions of this Ruling Letter is hereby required.

Very truly yours,

Suzette Del Valle-Lecároz, Esq.
Commissioner of Insurance of Puerto Rico

² <https://www.cdc.gov/mmwr/volumes/74/wr/mm7432a2.htm>