

(H. B. 417)

(No. 12)

(Approved April 11, 2001)

AN ACT

To amend Sections 3 and 5 and subsection (b) of Section 8 of Article IV of Act No. 72 of September 7, 1993, as amended, known as the "Puerto Rico Health Insurance Administration Act" in order to extend the composition of the Board of Directors of the Administration so that health providers as well as the beneficiaries of the medical-hospital insurance are represented in the health insurance system established in this Act, and to establish quorum.

STATEMENT OF MOTIVES

The Health Insurance Administration created by Act No. 72 of September 7, 1993, as amended, was entrusted with the implementation of medical-hospital services plans based on health insurance. The responsibility of the Government to comply with its obligation to provide indigents with health services, is not satisfied by the mere payment of an insurance premium. This requires rigorous classification and monitoring in order to satisfactorily attend to the needs of the medical-indigent beneficiaries and the quality of the services rendered to them.

The Board of Directors of the Health Insurance Administration which is in charge of establishing the present Health System is composed of seven members, three of which are ex-officio members: the Secretaries of Health and of the Treasury and the Insurance Commissioner. Of the remaining four members, one is a competent professional of the insurance industry, another is a competent participating provider and the other two are representatives of

the public interest. The experience had since the implementation of the health card plan shows that there are deficiencies in the rendering of these services. Frequently, there are complaints of delays in the access to the service, rationing, the quality and sufficiency of services, the lack of prompt attention to the claims of patients, delays in the payments to providers; and for the deficiency in the maintenance of data and statistics to evaluate the system and the health of the population, among others. It is necessary for the patients that are beneficiaries of the medical-hospital service plan, as well the health service providers to be represented in the process of implementing the policy for the rendering of health services. Within the scheme proposed by this Act, these two sectors are the key players because they are the ones who render and receive the services provided in the plan,

Through this Act, the composition of the Board of Directors of the Puerto Rico Health Insurance Administration, will be extended so that the health service providers and patients that are beneficiaries of the medical-hospital service plan are represented and can participate in the process of developing the health insurance system established by Act No. 72, *supra*.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Section 3 of Article IV of Act No. 72 of September 7, 1993, as amended, is hereby amended to read as follows:

"ARTICLE IV

Section 3.- Composition of the Board of Directors

The Board of Directors of the Administration shall be composed of nine (9) members. Three (3) of them shall be ex-officio members and six (6) shall be appointed by the Governor of Puerto Rico with the advise and consent of the Senate."

Section 2.- Section 4 of Article IV of Act No. 72 of September 7, 1993, as amended, is hereby amended to read as follows:

"ARTICLE IV

Section 5.- Qualifications of the members of the Board of Directors

The six (6) members of the Board of Directors who are not ex-officio members shall be persons of recognized moral integrity. Of these, one (1) shall be a professional competent in the insurance industry; two (2) shall be competent providers within the Health Reform, of which one shall be a primary physician; one shall represent the beneficiaries of medical-hospital insurance; and the other two (2) shall be representatives of the public interest. None of these two members shall have interests nor belong to the groups already represented on the Board. The latter shall not have commercial nor contractual relations with medical-hospital facilities nor with the health insurance industry, nor health service providers other than those as insurer-insured, insurer-claimant, doctor-patient or patient-hospital relationships."

Section 3.- Subsection (b) of Section 8 of Article IV of Act No. 72 of September 7, 1993, as amended, is hereby amended to read as follows:

"ARTICLE IV

Section 8.- Meetings and quorum

(a) ...

(b) The majority of the members of the Board of Directors shall constitute quorum for the meetings. Every agreement or determination of the Board shall require the affirmative vote of at least five (5) members. The function of each member of the Board as well as thus attendance at the meetings, shall not be delegated."

Section 4.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 12 (H.B. 417) of the 1st Session of the 14th Legislature of Puerto Rico:

AN ACT to amend Sections 3 and 5 and subsection (b) of Section 8 of Article IV of Act No. 72 of September 7, 1993, as amended, known as the "Puerto Rico Health Insurance Administration Act" in order to extend the composition of the Board of Directors of the Administration so that health providers as well as the beneficiaries of the medical-hospital insurance are represented in the health insurance system established in this Act, and to establish quorum,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 17th of May of 2004.

Elba Rosa Rodríguez-Fuentes
Director