

(S. B. 2015)

(No. 112-2012)

(Approved June 13, 2012)

AN ACT

To add subsections (5) and (6) to Section 13 of Article VI of Act No. 72-1993, as amended, known as the “Puerto Rico Health Insurance Administration Act,” in order to require participating providers, primary care providers, and primary services of the Government’s Healthcare System to display in its facilities an information sign notifying that the Primary Medical Group has a Preferred Network that includes specialists, laboratories, imaging services (x-rays), and hospitals, which can be visited by the beneficiaries without referral or copayments; and for other related purposes.

STATEMENT OF MOTIVES

Mi Salud Program is the new healthcare platform of the Government of Puerto Rico that substitutes the system known as “La Reforma.” *Mi Salud* is an accessible, higher quality, patient focused integrated model that incorporates some drastic changes into the healthcare system.

Mi Salud Program offers its beneficiaries greater and better access to health services. In that sense, it eliminates the need to obtain a referral to visit specialists, laboratories, imaging services (x-rays), and hospitals, among others, if these are part of the Preferred Network of the Primary Medical Group, with the exception of high-tech tests in the case of laboratory or x-rays. Furthermore, it eliminates the need for the signature of the primary care provider on prescriptions, offers mental healthcare services, and requires that providers implement preventive measures, among other considerable changes. It further requires that medical groups offer extended office hours to allow beneficiaries greater access to their primary physicians.

The Government of Puerto Rico has offered large-scale orientations regarding the benefits of the state's new healthcare plan, including media advertisements. However, many beneficiaries still express doubts and concerns about the new healthcare model, mainly regarding the elimination of the requirement of referrals from primary physicians to visit specialists, laboratories, imaging services (x-rays), and hospitals.

Section 13 of Article VI of Act No. 72-1993, as amended, known as the "Puerto Rico Health Insurance Administration Act," imposes on insurance companies the responsibility to prepare, publish, and distribute that contain a description of the healthcare coverage and the benefits included in the same. Furthermore, they shall develop and disseminate a community orientation program that covers the logistical aspects related to the structure, use, benefits, and access to services of the healthcare plan.

However, due to important changes in the healthcare system of the Government, especially the elimination of the requirement of a referral to visit specialists, it is essential to provide for a new tool that will contribute to the effective dissemination of information and that will guarantee that patients are informed of their rights under the new healthcare model.

For such purposes, this Legislative Assembly deems it necessary and meritorious to amend Act No. 72, *supra*, to require participating providers, primary care providers, and primary services of the Government's Healthcare System to display in their facilities an information sign notifying that the Primary Medical Group has a Preferred Network that includes specialists, laboratories, imaging services (x-rays), and hospitals that may be used by beneficiaries without referrals or copayments.

Furthermore, this Act establishes an administrative fine for noncompliance with the provisions in Section 13 of Article VI of Act No. 72, *supra*, in order to guarantee that all beneficiaries of the Government's Healthcare System are properly informed and oriented of their rights.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.- Subsections (5) and (6) are hereby added to Section 13 of Article VI of Act No. 72-1993, as amended, to read as follows:

“Section 13.- Beneficiaries – Orientation.

(1) ...

(2) ...

(3) ...

(4) ...

(5) The participating providers, primary care providers, and primary services of the Government's Healthcare system shall display an information, legible, and noticeable sign to all persons who use their facilities, that notifies that the Primary Medical Group has a Preferred Network that includes specialists, laboratories, imaging services (x-rays), and hospitals that may be used by beneficiaries without referral or copayment, as well as any other information related to the healthcare system deemed pertinent by the Administration. The contents of the sign shall be prepared and approved by the Administration.

(6) Every participating provider, primary care provider, and primary services that fails to comply with the provisions of this Section or the regulations promulgated thereunder shall be subject to an administrative fine to be determined by the Administration, which under no circumstance shall exceed ten thousand dollars (\$10,000).”

Section 2.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 112-2012 (S. B. 2015)** of the **7th Regular Session** of the **16th Legislative Assembly of Puerto Rico**:

AN ACT to add subsections (5) and (6) to Section 13 of Article VI of Act No. 72-1993, as amended, known as the "Puerto Rico Health Insurance Administration Act," in order to require participating providers, primary care providers, and primary services of the Government's Healthcare System to display in its facilities an information sign notifying that the Primary Medical Group has a Preferred Network that includes specialists, laboratories, imaging services (x-rays), and hospitals, which can be visited by the beneficiaries without referral or copayments; and for other related purposes.

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

In San Juan, Puerto Rico, on this 21st day of August, 2015.

Juan Luis Martínez Martínez
Acting Director