

(H.B. 1375)

(No. 152)

(Approved July 19, 1998)

AN ACT

To amend the ninth paragraph of subsection (b)(1) of Section 22 of Act No. 83 of May 2, 1941, as amended, known as the "Puerto Rico Electric Power Authority Act", in order to establish that the Department of the Family must certify the financial needs of a person and the Department of Health must certify that the person needs to use specialized life-support electronic equipment, as prior requirements to be entitled to the electric power consumption subsidy granted by said Act.

STATEMENT OF MOTIVES

Act No. 164 of August 23, 1996 amended subsection (b)(1) of Section 22 of Act No. 83 of May 2, 1941, as amended, known as the "Puerto Rico Electric Power Authority Act", in order to provide for the rendering of electric power services for a lesser charge to persons who need to depend on electronic equipment in order to preserve their lives.

The praiseworthy purpose of this type of social legislation cannot be doubted. However, the government must establish effective mechanisms to ensure that the persons who apply for this benefit meet the requirements provided in the applicable legislation and regulations. It is for this reason that the present Act empowers the Department of Health to certify to the Electric Power Authority that the person does, in fact, need to use

specialized life-support electronic equipment such as artificial respirators, air conditioners, dialysis equipment or any other such type of equipment.

Said Act also establishes another requirement to receive the subsidy: that the person be of limited financial resources. The Department of the Family shall be entrusted to determine, on the basis of its experience and specialized knowledge, whether the petitioner is a person of limited financial resources. The Department of the Family shall also certify to the Electric Power Authority that the person lacks the financial resources needed to pay the total amount of the bill.

As a matter of fact, the Electric Power Authority is presently facing situations whereby a specific petitioner is certified as eligible, when in fact the person does not have an illness which would merit the granting of the subsidy. The Department of Health shall establish the regulations and guidelines needed to prevent this type of situation. Thus, we can guarantee that the economic resources of the government are devoted exclusively to help those persons who truly need the subsidy to preserve their life.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- The ninth paragraph of subsection (b)(1) of Section 22 of Act No. 83 of May 2, 1941, as amended, known as the "Puerto Rico Electric Power Authority Act", is hereby amended to read as follows:

"Section 22.-

(a) ...

(b)(1) ...

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An additional credit shall be granted, upon request, equal to the electric power consumption of the life-support equipment used by a person, as provided herein. Every request must include a certification issued by the Department of Health indicating the need of the petitioner to use electronic life-support equipment and the nature of the equipment needed. Furthermore, every request shall also include a certification issued by the Department of the Family stating that the petitioner is a person of limited financial resources, as defined by the Department. The Authority shall determine, through regulations, all matters pertaining to the computation of the consumption of the life-support equipment, and the Departments of Health and of the Family shall establish regulations concerning the certifications to be issued pursuant to this Act. In those cases in which the person who needs to use said electronic life-support equipment is not the subscriber, said benefit shall be transferred to the subscriber who has the obligation to pay the bill for the electric power consumed by the person who needs to use said electronic life-support equipment.

Section 2.- The Department of the Family and the Department of Health shall adopt the standards, guidelines, rules and regulations needed to comply with the purposes of this Act. The Electric Power Authority shall also amend, modify or repeal the regulations in effect in order to harmonize them with the objectives of this Act.

Section 3.- This Act shall take effect immediately after its approval.

May 23, 2000

Luis G. Hidalgo, Director of the Office of Legislative Services of the Legislature of Puerto Rico, hereby certifies to the Secretary of State that he has duly compared the English and Spanish texts of Act No. 152 (H.B. 1375) of the 3rd Session of the 13th Legislature of Puerto Rico, entitled:

AN ACT to amend the ninth paragraph of subsection (b)(1) of Section 22 of Act No. 83 of May 2, 1941, as amended, known as the "Puerto Rico Electric Power Authority Act", in order to establish that the Department of the Family must certify the financial needs of a person and the Department of Health must certify that the person needs to use specialized life-support electronic equipment, as prior requirements to be entitled to the electric power consumption subsidy granted by said Act,

and finds the same are complete, true and correct versions of each other.

Luis G. Hidalgo