

(H. B. 1726)

(No. 192 -2012)

(Approved August 22, 2012)

AN ACT

To amend Section 6 of Article VI of Act No. 72-1993, as amended, known as the “Puerto Rico Health Insurance Administration Act,” in order to include vaccines for the prevention and treatment of the Human Papillomavirus among the benefits of the Health Reform coverage.

STATEMENT OF MOTIVES

The Puerto Rico Health Insurance Administration is responsible for implementing, administering, and negotiating, through contracts with insurers, a health insurance system that eventually shall provide all the residents of Puerto Rico with access to quality medical-hospital care, regardless of their financial and payment capacity. Based on this standpoint of equality in healthcare services, we deem it necessary that all residents of our Island have the resources and services available in benefit of their health.

The Human Papillomavirus (HPV) is one of the most common sexually transmitted diseases, and at the same time, one of the least known ones. This virus is composed of a greater number of viruses and there are over one hundred (100) types of HPV already identified. Approximately forty (40) of these types are sexually transmitted and can infect genital areas of males and females.

The Human Papillomavirus produces skin infections and also affects the mucous membrane of the anogenital, oral (mouth and throat), and respiratory tracts. In the skin, the most common lesions are cutaneous warts, also called *verruca vulgaris*, and the plantar warts which are lesions in the sole of the feet and can often be painful.

Anogenital lesions include warts that appear in or around the genitals and the anus, both in men and women. Genital warts are technically known as *condylomata acuminata* or venereal warts and are generally associated with two (2) types of the human papillomavirus: number sixteen (16) and number eleven (11). The Human Papillomavirus can also cause abnormal flat growths in the genital area (vagina, urethra, and anus) and in the cervix (the lower part of the uterus that connects to the vagina). The evolution of the lesions is unforeseeable, they may disappear, grow, or remain stable.

The Human Papillomavirus is recognized as one of the main causes of cervical cancer. Certain types of human papillomavirus are classified as “low risk” because they rarely become develop into cancer. However, there are others that can cause cancer and are thus classified as “high risk.”

According to estimates, approximately sixty percent (60%) of the sexually active population could have detectable antibodies that could suggest that at some point they have been exposed to some type of the Human Papillomavirus. In young women, it is estimated that up to fifty percent (50%) of teenagers and young adults are infected with the virus shortly after the onset of sexual activity. However, ninety percent (90%) of those women are cured without undergoing treatment. There is a very high number of sexually active young women who may become infected with the virus and then cured. However, they may become infected once again with another type of the Virus later on in their lives.

At present, there is only one vaccine approved, known as Gardasil, which is currently the only approved prophylactic Human Papillomavirus vaccine. The vaccine fights the disease and develops resistance thereto. This vaccine targets two high risks Human Papillomaviruses,—type sixteen (16) and eighteen (18). Together, these two types of Human Papillomaviruses are responsible for seventy percent (70%) of cervical cancer. Gardasil also actively blocks HPV types six (6)

and eleven (11), which combined, are responsible for approximately ninety percent (90%) of all cases of genital warts.

This Legislative Assembly has the duty to safeguard the legal rights of every citizen to receive the best healthcare services available that address his needs. Therefore, it is of utmost importance for healthcare plans to include vaccines for the prevention and treatment of the Human Papillomavirus in their coverage.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.- Section 6 of Article VI of Act No. 72-1993, as amended, known as the “Puerto Rico Health Insurance Administration Act,” is hereby amended to read as follows:

“Section 6.- Coverage and Minimum Benefits

Healthcare plans shall have a broad coverage, with a minimum of exclusions. There shall be no exclusions for pre-existing conditions, or waiting periods at the time coverage is granted to a beneficiary.

Coverage A.- The Administration shall establish a coverage of benefits to be offered by the contracted insurers or participating providers. The coverage shall include, among others, the following benefits: outpatient services, hospitalizations, dental health, mental health, Human Papillomavirus vaccines and treatment, studies, testing, and equipment for beneficiaries who require the use of a ventilator for life support, laboratory tests, and X-rays, as well as prescription medications, which shall be dispensed by a participating pharmacy, freely chosen by the insured and licensed under the laws of Puerto Rico. The coverage shall provide for each beneficiary to have available the laboratory tests and immunizations appropriate for his age, sex, and physical condition annually. Provided, however, that the list of medications for HIV/AIDS patients shall be reviewed annually in order to include those new medications, should the Administration deem it pertinent, that are needed for the treatment of said condition which shall be dispensed and offered in

accordance with the best medical practices, provided that it does not affect the State Plan executed by the Department of Health and the Health Resources and Services Administration.

The Administration shall revise this coverage periodically.

Coverage B.- Hospital services coverage shall be available twenty-four (24) hours a day, every day of the year.

Coverage C.- In its out-patient coverage, the plans shall include the following, without it being a limitation:

(1) ...

(2) ...

(3) ...

(4) Access to Human Papillomavirus vaccination treatment, which shall consist of three (3) doses to be administered according to the indications of the health professional. This coverage shall not be limited exclusively to the treatment mentioned in this subsection, but rather shall be extended to any other treatment or vaccine that could be developed for the treatment and prevention of Human Papillomavirus.

(5) The Administration shall file a report with the Legislative Assembly every six (6) months, which shall include, among others, the list of medications, any disputes that have arisen with respect to the State Plan executed by the Department of Health and the Health Resources and Services Administration, and the number of patients affected by these disputes.

...”

Section 2.- This Act shall apply to every insurance contracts sold or renewed ninety (90) days after the date of approval of this Act.

CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 192-2012 (H. B. 1726)** of the **7th Regular Session** of the **16th Legislative Assembly of Puerto Rico**:

AN ACT to amend Section 6 of Article VI of Act No. 72-1993, as amended, known as the "Puerto Rico Health Insurance Administration Act," in order to include vaccines for the prevention and treatment of the Human Papillomavirus among the benefits of the Health Reform coverage.

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

In San Juan, Puerto Rico, on this 8th day of December, 2016.

Juan Luis Martínez Martínez
Director