

(H. B. 2943)
(Conference)

(No. 198-2010)

(Approved December 15, 2010)

AN ACT

To amend subsection (c) of Section 3 of Article VI of Act No. 72 of September 7, 1993, as amended, known as the “Puerto Rico Health Insurance Administration Act,” in order to include the employees of public corporations and municipalities of Puerto Rico as beneficiaries of the Health Insurance Plan.

STATEMENT OF MOTIVES

Since the approval of Act No. 72 of September 7, 1993, as amended, known as the “Puerto Rico Health Insurance Administration Act,” there have been doubts as to the scope of the definition of public employee and who qualifies as beneficiary of the health plan.

Originally, the aforementioned Act included employees of the Central government. Subsequently, said term was replaced by public employees. This change, however, did not clarify whether or not the employees of public corporations and municipalities were eligible for the benefits provided.

This Legislative Assembly deems it convenient to clarify that public employees who work in public corporations and municipalities may participate in the Mi Salud health plan.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.- Subsection (c) of Section 3 of Article VI of Act No. 72 of September 7, 1993, as amended, is hereby amended to read as follows:

“Section 3.- Health Insurance Beneficiaries.-

All residents of Puerto Rico may be beneficiaries of the Health Plan established upon the implementation of this Act, provided that they meet the following requirements, as pertinent:

(a) ...

(c) Those public employees and their direct dependents who, due to their financial condition, qualify as beneficiaries of the Health Insurance Plan of the Government of Puerto Rico, shall be entitled to receive this benefit. The corresponding difference to cover the total cost of the individual and family medical and hospital coverage insurance premium shall arise from the funds appropriated by the Office of Management and Budget.

Public employees whose income level does not allow them to be eligible for the Plan may opt to avail themselves, together with their dependents, of the Health Plan of the Government of Puerto Rico or to continue benefiting from a private plan of their preference. If they choose to join the Government’s Health Plan, the difference between the government’s contribution and the cost of the premium shall be defrayed by the employees.

In the case of married individuals both of whom are public employees, they may avail themselves of the Health Plan and combine their contributions and act jointly for their eligibility. In all instances, the Secretary of the Treasury, the municipality, or the public corporation shall transfer to the Administration the sum corresponding to the employer contribution of such public employees benefiting from the Health Plan. Public employees who choose to use the employer contribution to acquire another health plan available in the market and who,

in turn, have been identified and certified by the Department, as provided in Section 1 of Article VI of this Act, shall not participate in the Health Plan of the Government of Puerto Rico. Public employees shall have the choice of extending their medical hospital coverage to their optional dependents, and the employee shall defray the cost of such coverage in its entirety.

For purposes of this subsection, the term “public employees” includes the employees of the public corporations and the municipalities. The Administration shall prescribe a premium payment system by regulations.

...”

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. 198-2010 (H. B. 2943)** (**Conference**) of the **4th Session of the 16th Legislature** of Puerto Rico:

AN ACT to amend subsection (c) of Section 3 of Article VI of Act No. 72 of September 7, 1993, as amended, known as the "Puerto Rico Health Insurance Administration Act," in order to include the employees of public corporations and municipalities of Puerto Rico as beneficiaries of the Health Insurance Plan.

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

In San Juan, Puerto Rico, on the 18th day of April, 2013.

Juan Luis Martínez Martínez
Acting Director