

This attachment is provided only as guidance to the Offeror. It is not an exhaustive list of all applicable laws and regulations. Offeror is responsible for ensuring compliance with all applicable state and federal laws.

Applicable Government laws and regulations:

- Act 72 of September 7, 1993, as amended, known as “Puerto Rico Health Insurance Administration Law”
- ASES General Rules and Regulations, No. 9068 of March 29, 2019.
- Act 168 of August 1, 2018; known as “Law for the Use of Telemedicine in Puerto Rico”
- Puerto Rico Insurance Code and its applicable regulations
- Act 81 of March 14, 1912; known as “Organic Law for the Puerto Rico Health Department”
- Act 194 of August 25, 2000, as amended, known as “The Declaration of Patient’s Rights and Responsibilities
- Act 408 of October 2, 2000, as amended, known as “Mental Health Code”
- Act 77 of June 24, 2013 known as the “Law of the Office of the Office of Patient Advocate”
- Act 247 of September 3, 2004, as amended, known as the “Puerto Rico Pharmacy Law”
- Act 139 of August 1, 2008, as amended, known as “Law for the Medical Licensing and Discipline Board”
- Act 109 of June 28, 1974, as amended, known as “Law for the Puerto Rico Public Services Commission”
- Act 225 of July 23, 1974, as amended, known as “Law for Ambulance Services”
- The Public Services Commission’s Regulations for ambulance services in Puerto Rico, Regulation No. 6737 of December 16, 2003.
- Act 86 of August 16, 1997, known as “Law for the Residents of Culebra and Vieques”
- Act 227 of August 12, 1999, known as “Act to Implement the Public Policy on Suicide Prevention”
- Act 243 of November 10, 2006, known as “Law to Establish the Public Policy Concerning the Use of the Social Security Number for Identification and the Protection of its Confidentiality”
- Act 126 of October 31, 2013, as amended, known as the “Law for the Protocol of Interagency Services for the Elderly Population Living in Infrahuman Conditions”.

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- Act. No. 2 de January 4, 2018 known as “Anticorruption Code for the New Puerto Rico”
- Act No. 1 of January 3, 2012, as amended, known as the “Government Ethics Law of 2011”
- Act 38 of June 30, 2017, as amended, known as the “Puerto Rico Uniform Administrative Proceeding Law”
- Act 111 of September 7, 2005, as amended, known as the “Law for Informing Citizens of the Security of Data Banks”.
- Act 80 of June 3, 2011 known as “Industrial and Trade Secret Protection Act of Puerto Rico” (See Section 2.3.8 of this RFP– Disclosure of Proposal Contents)
- ASES Regulations for the Imposition of Fines and Economic Sanctions for Breach of Contract of Underwriters and/or Health Services Organizations and to Establish the Procedure for Resolution and Adjudication of Related Complaints, Regulation No. 8446.
- Act 77 of June 24, 2013, as amended, known as the “Law of the Patient Advocate”, and corresponding regulations, as applicable
- Act 194 of August 25, 2000, as amended, known as the “Puerto Rico Patient’s Bill of Rights and Responsibilities”, and corresponding regulations, as applicable.
- Act No. 352 of December 22, 1999; 24 L.P.R.A. § 7061, et. seq.
- Act No. 212 of August 9, 2008; 24 L.P.R.A. § 7072, et. seq.
- Act No. 177 of August 13, 2016
- Act No. 47 of July 23, 2017
- Act 114 of July 30, 2010
- Act 352 of December 22, 1999, known as “Law Requiring Coverage of General Anesthesia for Minor and Disable Individuals”.
- Act 212 of August 9, 2008, known as “Law for the Coverage of Clinical Services for Patients with Morbid Obesity and Metabolic Syndrome”.
- Act 120 of July 16, 2015, known as “Law to Include Pulmonary Hypertension in the Special Coverage Provided by the Health Insurance Administration”.
- Act 4 of June 23 of 1971, known as the “Controlled Substances Law of Puerto Rico”, and corresponding regulations, as applicable.
- Act 75 of July 25, 2019 known as the “Puerto Rico Innovation and Technology Service Act”.
- Act 148 of August 8, 2006, as amended, known as the “Electronic Transactions Act”
- Act 151 of 2004, as amended, known as “Electronic Government Act”.
- Act 229 of September 2, 2003, as amended, known as the “Act to Guarantee Access to Information to Disabled Persons”
- ASES Normative Letters issued during the course of the contract period.

Applicable Federal Laws and Regulations:

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- Puerto Rico Health Department's State Plan ("Medicaid State Plan" and CHIP State Plan")
- The Social Security Act, including Titles VII, XI, XIX and XXI
- Federal regulations as established by the Center for Medicare & Medicaid Services ("CMS") including, but not limited to: ; 42 CFR part 438 (managed care), 42 CFR part 431 (fair hearings and appeals); 42 CFR part 455 (fraud and abuse reporting); 42 CFR part 447 (timely claim payment); 45 CFR part 75 (as applicable); 42 CFR part 433, Subpart D; 42 CFR 431.53 (ambulance services); and 42 CFR 405.2402 (Davis-Bacon Act, 40 U.S.C. 276a et seq.)
- Copeland Anti-Kickback Act, 40 U.S.C 276c
- Fair Labor Standards Act of 1938, 29 U.S.C 201 et seq.
- Clean Air Act, 42 U.S.C. 7401 et seq.
- Federal Water Pollution Control Act as Amended, 33 U.S.C. 1251 et seq.
- Federal Rehabilitation Act of 1973
- Byrd Anti-Lobbing Amendment, 31 U.S.C. 1352
- The Clinical Laboratory Improvement Amendments of 1988;
- The Health Insurance Portability and Accountability Act of 1996 (HIPAA);
- Americans with Disabilities Act, 42 U.S.C. 12101 et seq;
- Medicare Modernization Act of 2003, P.L. 108-173
- Mental Health Parity and Addiction Equity Act of 2008, P.L. 110-343
- American Recovery and Reinvestment Act of 2009, P.L. 111-5; and
- Patient Protection and Affordable Care Act of 2010, P.L. 111-148

Medicaid Laws, regulations and requirements pertain only to the Medicaid population.

ASES reserves the right to modify requirements stated in this RFQ at any time by either a supplement to this RFQ or otherwise by amending the Contract, based on any federal requirements or as may be required by CMS, or any Government of Puerto Rico laws or regulations or any directives of the Financial Oversight and Management Board for Puerto Rico.