



COMMONWEALTH OF PUERTO RICO
OFFICE OF THE COMMISSIONER OF INSURANCE

May 16, 2013

CIRCULAR LETTER NO.: 2013-1830-AV

TO ALL DISABILITY INSURERS AND HEALTH SERVICES ORGANIZATIONS THAT WRITE HEALTH INSURANCE IN PUERTO RICO, OTHER THAN THROUGH THE MI SALUD PROGRAM

CHEMOTHERAPY TREATMENT FOR CANCER AND THE HUMAN PAPILOMAVIRUS (HPV) VACCINE

Dear Sirs and Madams:

The Office of the Commissioner of Insurance of Puerto Rico has received reports of alleged practices by insurers and health services organizations related to denial and/or limitation of chemotherapy treatment for cancer in its different methods of administration, as well as the Human Papillomavirus (HPV) vaccine.

Pursuant to Public Law No. 107, enacted on June 5, 2012, health insurance plans that provide coverage for cancer treatment must include chemotherapy with its various methods, to wit, intravenous, oral, injectable or intrathecal. This treatment must be available under equal coverage according to the specialist's or oncologist's order. That is to say, any insurer or health services organization that provides chemotherapy treatment for cancer may not include in such coverage any distinction as to co-insurance or co-payments that are applicable according to different methods available.

Furthermore, Public Law No. 9, enacted on January 20, 2010, as amended, requires all insurers or health services organizations to include in their health insurance plans the Human Papillomavirus (HPV) vaccine for males and females between the ages of eleven (11) and eighteen (18), without any limitation on the dosage. Consistent with this mandate, Section 2.050(C)(2) of the Puerto Rico Health Insurance Code requires coverage for immunization without cost sharing for immunization that has been recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention and the Advisory Committee on Immunization Practices of the Puerto Rico Health Department. All insurers or health services organizations must comply with these legal provisions.

Any failure by insurers and health services organizations to comply with these provisions constitutes a violation of the Puerto Rico Insurance Code, the Puerto Rico Health Insurance Code, and all other relevant legal provisions and will be the object of all appropriate legal sanctions.

Strict compliance with the provisions of this letter is required.

Cordially,

SIGNED

Ángela Weyne-Roig
Commissioner of Insurance