



COMMONWEALTH OF PUERTO RICO  
**OFFICE OF THE COMMISSIONER OF INSURANCE**

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October 3, 2016

**RULING LETTER NO.: CN-2016-204-AS**

TO ALL HEALTH SERVICES ORGANIZATIONS OR INSURERS THAT WRITE HEALTH INSURANCE IN THE PRIVATE MARKET IN PUERTO RICO

**REQUIREMENTS OF PUBLIC LAW NO. 177-2016**

Dear Sirs and Madams:

Public Law No. 177-2016 (the "Law") was passed on August 13, 2016, to require that all insurers and health services organizations include as part of basic coverage in private health insurance a glucose monitor to be provided every three (3) years and a minimum of one hundred and fifty (150) strips and one hundred and fifty (150) lancets a month for patients under twenty-one (21) years of age who have been diagnosed with Diabetes Mellitus Type I by a specialist in pediatric endocrinology or endocrinology. In addition, the Law mandates including as part of basic health insurance coverage, a portable insulin pump as therapy for patients under 21 years old who have been diagnosed with Diabetes Mellitus and who meet the criteria set forth in the Law.

Pursuant to the authority vested in Section 8 of the Law, our office is promulgating the necessary guidelines for the implementation of that Law.

1. Qualification criteria for the glucose monitor, strips, and lancets.

Private health insurance basic coverage will include a glucose monitor every three (3) years and a minimum of one hundred fifty (150) strips and one hundred fifty (150) lancets a month for patients under twenty-one (21) years of age who have been diagnosed with Diabetes Mellitus type I by a specialist in pediatric endocrinology or endocrinology. This coverage will also be available if the specialist in endocrinology orders it for patients under 21 years of age whose condition shows a predisposition or a significant number of risk factors for developing diabetes mellitus type I.

Pursuant to Section 4 of this Law, in order to receive the benefits that are established in the Law, patients who are under twenty-one (21) years of age, once they have been diagnosed with Diabetes Mellitus type I, shall submit a prescription that has been duly issued by a physician who is authorized to exercise the profession within the jurisdiction of the

Commonwealth of Puerto Rico so that the pharmacist may dispense the monthly strips and lancets.

Insurers and health services organizations shall follow the standards to be established by the Department of Health regarding the kinds of glucose monitors to be covered and other specifications related to the monitors or otherwise follow the guidelines of the *Centers for Medicare and Medicaid Services*, if any.

2. Qualification criteria for the therapeutic use of the portable insulin pump

The benefit of a portable insulin pump will be available for patients under 21 years old that have been diagnosed with Diabetes Mellitus type 1 by a physician who specializes in pediatric endocrinology or an endocrinologist. In addition, the patient must meet the qualification criteria for the use of this pump as provided in paragraphs I, II, and III of Section 2 of the Law and the criteria established by the *Centers for Medicare & Medicaid Services*. The qualification criteria established in Section 2 of the Law, will be deemed to have been amended so that they will be aligned with the guidelines of the *Centers for Medicare and Medicaid Services*, or any other law, federal regulation or administrative guideline that modifies or eliminates the current qualification criteria for the use of insulin pumps that are applicable to Puerto Rico.

Through this ruling letter it is required that the policies, contracts, or evidences of coverage related to grandfathered and transition plans be duly modified by an endorsement to clarify coverage and the benefits described above. If they have not been modified as of the date of this communication, the policies that are in compliance with the Affordable Care Act (ACA) and the Puerto Rico Health Insurance Code, in order to be effective as of January of 2017, must be revised and submitted through the SERFF System, as currently under our consideration for the corresponding approval.

Insurers and health services organizations that write private health insurance shall take the necessary steps to comply with the Law and this ruling letter and as may be necessary, shall orient and inform their contractors or third party administrators regarding the scope and provisions of the Law.

Strict compliance with the provisions of this Ruling Letter is hereby required.

Very truly yours,

SIGNED

Ángela Weyne-Roig  
Commissioner of Insurance