



GOVERNMENT OF PUERTO RICO  
Office of the Commissioner of Insurance

October 25, 2017

**RULING LETTER NO.: CN-2017-228-D**

**TO ALL HEALTH SERVICES ORGANIZATIONS, INSURERS THAT WRITE HEALTH INSURANCE IN THE PRIVATE MARKET IN PUERTO RICO, GENERAL AGENTS, AUTHORIZED REPRESENTATIVES, PRODUCERS, AND THE PUBLIC IN GENERAL**

**GUARANTEED ENROLLMENT PERIOD FOR BASIC HEALTH INSURANCE PLANS DURING 2017.**

Dear Sirs and Madams:

In view of the fact that a significant portion of the population of the Island was left without communication services and the interruption of the operations of the insurance industry that occurred due to the impact of Hurricane María, on September 28, 2017, the Office of the Commissioner of Insurance (OCI) issued Circular Letter No. CC-2017-1909-AS. In that Circular Letter, the OCI notified the temporary suspension of the “Guaranteed Enrollment Period for Individual Health Insurance Plans,” scheduled to begin on October 1, 2017, until this Office may determine and notify the new guaranteed enrollment period.

Therefore, the OCI hereby notifies the decision to begin the guaranteed enrollment period for 2017 **from November 16, 2017 to December 31, 2017**, including the first and last day, for enrollment in basic individual health insurance that will enter into effect as of January 1, 2018. For renewals, the guaranteed enrollment period will be extended to **January 30, 2018**, so insureds may renew their basic individual health insurance.

Insurers or health insurance organizations may offer the basic individual health insurance they have available in the individual market at any time during 2018 to the individuals that meet any of the criteria for the special enrollment period established in paragraphs (c) and (d) of Section 10.150 of the Health Insurance Code, 26 L.P.R.A. §9175.

For applications for insurance received by insurers before December 15, 2017, the effective date of coverage will be January 1, 2018. From December 16 until December 31, coverage will enter into effect on February 1, 2018. Regarding the effect of the applications for coverage that meet any of the criteria for the special enrollment period, if the application is received by the insurer from the 1st to the 15th day of the month, the coverage will enter into effect on the first day of the following month. If the application is received by the insurer from the 16th to the 31st day of the month, coverage will enter into effect the first day of the second month after the application was received.



We are hereby seeking to ensure that consumers may have reasonable time to access the means of communication to learn of the coverage options that best fit their health needs and to select the individual health insurer of their preference during this guaranteed enrollment period or special enrollment period.

All insurers and health services organizations are hereby advised of the obligation to provide coverage without risk evaluation to the insured or applicants for basic individual health insurance during the guaranteed enrollment period, as provided in Section 10.150 of the Health Insurance Code, *supra*. This Ruling Letter does not exempt insurers or health services organizations from compliance with the remaining provisions of the Health Insurance Code, Public Law No. 194-2011, as amended, insofar as the provisions do not contravene the guidelines and criteria set forth herein.

The effect of this Ruling Letter is solely limited to the enrollment period for basic individual medical insurance applicable to the current year, 2017, due to the emergency situation that resulted from the passage of Hurricane María. In subsequent years, the guaranteed enrollment period will be on the date provided in Section 10.150 of the Health Insurance Code, *supra*.

Strict compliance with the guidelines set forth herein is required. Failure to comply with these guidelines will entail the imposition of severe sanctions.

Very truly yours,

Javier Rivera-Ríos, LUTCF  
Commissioner of Insurance