



GOVERNMENT OF PUERTO RICO
Office of the Commissioner of Insurance

March 20, 2020

RULING LETTER. CN-2020-270-DD

TO ALL HEALTH INSURANCE ORGANIZATIONS OR INSURERS THAT WRITE HEALTH INSURANCE IN PUERTO RICO, THEIR PHARMACY BENEFIT ADMINISTRATORS, UTILIZATION REVIEW ORGANIZATIONS, AND OTHER AGENTS OR THIRD-PARTY ADMINISTRATORS

RE: AMENDMENT TO RULING LETTER NO. CN-2020-268-D; ACCESS TO TELEMEDICINE SERVICES IN HEALTH INSURANCE PLANS

On March 16, 2020, the Office of the Commissioner of Insurance (OCS), in accordance with Executive Order 2020-023 decreed by the Governor of Puerto Rico, Honorable Wanda Vázquez-Garced, and in accordance with the powers and authority conferred under the provisions of Section 2.030 of the Insurance Code, issued Ruling Letter No. CN-2020-268-D providing guidelines aimed at ensuring policyholders have access to health services under their health insurance. The aforementioned ruling letter, among other matters, provided that health insurance organizations or insurers that write health insurance must cover the services provided by physicians who are authorized for medical practice through telemedicine equipment in Puerto Rico, since physicians are required to have the Certification for the practice of telemedicine in Puerto Rico granted by the Medical Licensure and Discipline Board.

Today, March 20, 2020, the Governor of Puerto Rico signed Joint Senate Resolution 491, (hereinafter, the Joint Resolution), which provides the flexibility for physicians who are authorized to practice in Puerto Rico to use telemedicine and telephone medical consultations as a remote means to care for patients, regardless of whether or not they have telemedicine certification issued by the Medical Licensure and Discipline Board. Under the Joint Resolution, in its relevant part, it is provided that individuals who are authorized to practice the profession in Puerto Rico may invoice for services rendered through telemedicine, telephone consultations, or by any other authorized method, and the health insurers and health service organizations shall have the obligation to pay for such as if it were an in-person consultation for the health services rendered. In addition, the Joint Resolution provides that health insurers and health service organizations shall provide them with the corresponding codes to invoice for medical services rendered. The provisions of this Joint Resolution shall preempt any law, regulation or rule whose provisions contravene the Resolution.

In view of the above, Ruling Letter No. CN-2020-268-D is amended to establish that health insurance organizations or insurers that write health insurance must cover the services provided by physicians authorized to practice in Puerto Rico through the use of telemedicine or medical consultation by telephone, without being required to hold the Certification for telemedicine practice granted by the Medical Licensure and Discipline Board. This waiver of



the Certification requirement will enter into effect immediately upon the approval of the Joint Resolution, today, March 20, 2020, and will remain in effect for 90 days from the date of approval thereof, extendable to a term of 30 additional days, if necessary.

The remaining provisions of Ruling Letter CN-2020-268-D will continue to be in effect as established. Strict compliance with the guidelines set forth herein is required. Failure to comply with these guidelines will result in the imposition of severe penalties.

Very truly yours,

f/Rafael Cestero-Lopategui, CIC
Chief Deputy Commissioner of Insurance