LEGAL UPDATE

March 23, 2020

COVID-19 Department of Health Matters

REICHARD & ESCALERA ATTORNEYS AND COUNSELLORS AT LAW

As part of the Puerto Rico Government's implementation of Executive Order 2020-023, on March 20, 2020 the Governor of Puerto Rico signed Joint Resolution 491 regarding the practice of Telemedicine. Also, the Department of Health (DOH) has issued several Administrative Orders

Joint Resolution 491 provides flexibility for doctors that have incorporated telemedicine into their practice. The Joint Resolution provides among other items:

- Authorization for doctors to evaluate their patients and perform medical consultations via telephone or any other electronic means.
- Doctors can send prescriptions, referrals, or medical orders to service providers by photographic or any other electronic method. Service providers cannot reject such orders.
- Payments for telemedical services by insurance companies and the Health Insurance Administration (ASES) must be the same as if services were performed in a face-to-face consultation.
- Insurance companies and the Health Insurance Administration (ASES) must pay for tests or treatments to attend COVID-19.
- ASES shall modify its regulations to fulfill the purposes of this Joint Resolution.

Below we provide highlights of the most relevant DOH Administrative Orders to date:

- 1. Administrative Order 424-March 12, 2020
 - Sets guidelines for the prevention of COVID-19 for patients. Aimed at health professionals and includes topics such as universal precautions for prevention and avoidance of transmission of the virus and the sterilization of reusable instruments utilized in the conduct of invasive procedures.
 - Requires health professionals to take training courses on measures to protect and prevent transmissible diseases, such as Covid-19, Flu and Mycoplasma, in the period from March to June 2020.
 - Requires DOH authorized providers of continuing education programs to use the standard DOH COVID-19 guidelines in their educational modules.
- 2. Administrative Order 425-March 17, 2020
 - It includes COVID-19 in the list of diseases whose notification to the DOH is mandatory.
 - Requires any laboratory, hospital and/or health facility that conducts laboratory tests to report the results of COVID-19 to the Epidemiology Division of the DOH.



For more information on this Legal Update, please contact:

Hector Reichard

reichard@reichardescalera.com 787.777.8801 787.380.5639

Celia I. Acevedo

acevedo@reichardescalera.com 787.777.8811 787.403.4101 3. Administrative Order 426- March 18, 2020

Sets standards for reporting to the Division of Mothers, Babies and Teenagers of the DOH positive results of COVID-19 tests.

This communication is for information purposes only and does not constitute legal advice. This communication may be based on authorities that are subject to change and is not a substitute for professional advice or services. You should consult a qualified professional advisor before taking any action based on the information herein. This communication does not create an attorney-client relationship between Reichard & Escalera and the recipient.

Unsubscribe.

MCS Plaza, 10th Floor | 255 Ponce de León Avenue | San Juan 00917 | Phone: 787-777-8888 | Fax: 787-765-4225 | www.reichardescalera.com