

## PR Department of Health Issues Regulations on Telehealth and Cybertherapy

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### PRACTICE AREAS

- Health Care

### An McV Health Care Alert

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As announced on our October 31, 2023 Alert, the Puerto Rico Secretary of Health approved Regulation No. 9517 to Regulate the Use of Cybertherapy in Puerto Rico (the “Cybertherapy Regulation”) and Regulation No. 9518 to Regulate the Use of Telehealth in Puerto Rico (the “Telehealth Regulation”). The Cybertherapy and Telehealth Regulations, adopted pursuant to the *Puerto Rico Telemedicine and Telehealth Act*, Act No. 168-2018, as amended, became effective on **December 31, 2023**.

The Cybertherapy Regulation and the Telehealth Regulation require that healthcare professionals obtain a certification (the “Certification”) from the corresponding Examining Board prior to engaging in the practice of cybertherapy or telehealth in Puerto Rico. However, on December 21, 2023, the Secretary of Health issued Administrative Order No. 580 waiving the Certification requirement until **March 31, 2024**.

The **Cybertherapy Regulation** regulates the use of cybertherapy in Puerto Rico by the following professionals: physical therapists, occupational therapists, speech-language therapists, psychologists, counselors, and rehabilitation and educational counselors. This regulation does not apply to social workers as the authority to adopt regulations regarding the use of telecare services by social workers lies on the Board of Examiners of Social Workers ascribed to the Puerto Rico Department of State.

The **Telehealth Regulation** regulates the use of telehealth services in Puerto Rico by audiologists, chiropractors, dentists, health educators, pharmacists, veterinaries, podiatrists, naturopathic doctors, naturopaths, nutritionists and dietitians, opticians, optometrists, and nurses. The practice of telemedicine by physicians is not covered by the Telehealth Regulations. Telemedicine is regulated by Regulation No. 9107 of August 20, 2019.

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