

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Fifteenth Congress

First Regular Session

HOUSE BILL NO. 367

Introduced by Hon. MARY MITZI "MITCH" L. CAJAYON

EXPLANATORY NOTE

The Constitution provides that the State should adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable costs (Article XIII, Section 11).

Republic Act No. 7875, as amended, otherwise known as the National Health Insurance Act of 1995, established the National Health Insurance Program (NHIP) to be administered by the Philippine Health Insurance Corporation (Philhealth) to operationalize the aforesaid constitutional mandate by providing health insurance coverage and ensuring affordable, acceptable, available and accessible health care services for all citizens of the Philippines.

Pursuant to R.A. 7875, as amended, and its implementing rules and regulations, the premium contributions for the indigent members of the NHIP are subsidized jointly by the National Government and the Local Government Units where the indigent member resides.

Executive Order No. 276 (s. 2004) mandated the Philippine Charity Sweepstakes Office, the Department of Budget and Management, Philhealth and LGUs to accelerate the coverage of indigent families through the "Enhanced PCSO Greater Medicare Access Program", which covered approximately 4.3 million indigent families nationwide.

To date, however, access to health care continues to be a pressing concern, especially of indigent Filipinos all over the country because of spiraling costs of health services.

This proposal seeks to address the urgent problem of making available to the underprivileged sector an affordable and accessible health care since they are most vulnerable to diseases as poor families usually forego health care and use their meager resources for food.

The measure is anchored on the conviction that the provision of health services should be biased towards the poor and marginalized taking into full consideration the social justice provision of the Constitution and the popular adage that those who have less in life should have more in law.

In view of the foregoing, the passage of the bill is earnestly sought.


MARY MITZI "Mitch" L. CAJAYON

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AN ACT

TO ENSURE THAT INDIGENT FILIPINOS ARE GRANTED WITH BASIC HEALTHCARE SERVICES, PROVIDING FOR A UNIVERSAL HEALTHCARE COVERAGE AMENDING FOR THIS PURPOSE SEC. 29 OF REPUBLIC ACT NO. 7875 OTHERWISE KNOWN AS THE NATIONAL HEALTH INSURANCE ACT OF 1995, AND FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION I. Short Title. - This Act shall be known as the "Mandatory Healthcare Coverage of Every Indigent Filipino Act."

SEC. 2. Declaration of Policy. - Pursuant to Section 15, Article II of the 1987 Constitution, the State hereby declares the policy of protecting and promoting the right to health of the people and instilling health consciousness among them. Towards this end, the State shall adopt an integrated and comprehensive approach to health development, which shall endeavor to make essential goods, health and other social services available to indigent Filipinos.

SEC. 3. Sec. 29 of Republic Act No. 7875 is hereby amended to read as follows:

SEC. 29. Payment for Indigent Contributions. - THE ANNUAL REQUIRED PREMIUM contributions for THE COVERAGE OF THE indigent [members] FAMILIES IN THE PROGRAM shall be FULLY [partially] subsidized by the [local government unit where the member resides. The Corporation shall provide counterpart financing equal to the LGU's subsidy for indigents: Provided, That in the case of fourth, fifth and sixth class municipalities, the] National Government FOR INCLUSION IN THE ANNUAL GENERAL APPROPRIATIONS ACT (GAA) BASED ON THE POVERTY INCIDENCE SET BY THE NATIONAL STATISTICS COORDINATION BOARD (NSCB). FOR THIS PURPOSE, THE IDENTIFICATION OF QUALIFIED INDIGENT FAMILIES SHALL BE CONDUCTED BY THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD). [shall provide up to ninety percent (90%) of the subsidy for indigents until such time that they shall have been upgraded to first, second or third class municipalities. The share of the LGUs shall be progressively increased until such time that its share becomes equal to that of the National Government. (a)]

IN CASE OTHER SPONSORS / DONORS WANT TO PARTICIPATE IN THE PROGRAM, THEY SHALL ALSO BE OBLIGED TO PAY THE ANNUAL REQUIRED PREMIUM FOR THE COVERAGE OF THE INDIGENTS. THE CORPORATION SHALL ISSUE THE NECCESARY GUIDELINES FOR THE IMPLEMENTATION OF THIS SCHEME.

SEC. 4. Implementing Rules and Regulations. - The Secretary of Health, in coordination with the Philippine Health Insurance Corporation (PHIC) shall, within sixty (60) days from the effectivity

of this Act, promulgate the necessary rules and regulations for the effective implementation of the provisions of this Act.

SEC.5. Separability Clause, - If any provision of this Act is declared unconstitutional or invalid, the provisions not affected thereby shall continue to be in full force and effect.

SEC. 6. Repealing Clause. - All laws, including Republic Act No. 7875 as amended, decrees orders, rules and regulations or other issuance inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 7. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in two (2) national newspapers of general circulation.

Approved,