

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. **5338**



Introduced by Hon. Jerry P. Treñas

EXPLANATORY NOTE

The approval of Republic Act No. 10645 is a significant victory in the advocacy for promoting and strengthening the rights and privileges of senior citizens. The new law, which makes all senior citizens mandatory members of Philhealth, is a landmark legislation for the elderly produced by the 16th Congress.

R.A. No. 10645 effectively amended the Senior Citizens Act (Republic Act No. 7432), as amended by the Expanded Senior Citizens Act of 2010 (Republic Act No. 9994), by giving mandatory Philhealth coverage to all senior citizens without qualification. The previous law only grants mandatory Philhealth coverage to indigent senior citizens, excluding millions of the elderly from automatic membership. However, there is also a need to further amend the National Health Insurance Act of 1995 (Republic Act No. 7875), as amended by Republic Act No. 10606, in order to harmonize our laws relating to the Philhealth benefits of senior citizens.

Now that all senior citizens are considered as members of Philhealth, it is necessary to amend the National Health Insurance Act so that senior citizens who are still working and who are already enrolled members would no longer be required to pay Philhealth premiums. It is only fair and equitable to do so since all senior citizens who are not enrolled in Philhealth are now automatically covered as a result of the enactment of R.A. No. 10645.

The ratio behind R.A. No. 10645 is to provide healthcare benefits to our senior citizens without imposing an additional financial burden on their part, regardless of their financial status. We owe this privilege to our elderly who have devoted their youth and prime years to build the great democratic and republican nation that we enjoy today. As one of the primary authors of R.A. No. 10645 in Congress, and as a strong advocate for greater senior citizen benefits, I highly recommended the approval of this legislative measure.


JERRY P. TREÑAS

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**AN ACT FURTHER AMENDING REPUBLIC ACT NO. 7875, OTHERWISE KNOWN
AS THE "NATIONAL HEALTH INSURANCE ACT OF 1995", AS AMENDED**

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

Section 1. Section 4 (s) of Republic Act No. 7875, as amended, is hereby amended to
read as follows:

"SEC. 4. Definition of Terms. – For the purpose of this Act, the
following terms shall be defined as follows:

xxx

s. Member – Any person whose premiums have been regularly
paid to the National Health Insurance Program who may be a
paying member, a sponsored member, or a lifetime member. **ALL
CITIZENS UPON REACHING THE AGE OF 60 ARE
AUTOMATIC MEMBERS, IN ACCORDANCE WITH
REPUBLIC ACT NO. 10645.**

xxx"

Section 2. Section 12 of the same Act is hereby amended to read as follows:

"SEC. 12. *Entitlement to Benefits.* – A member whose premium
contributions for at least three (3) months have been paid within
six (6) months prior to the first day of availment, including those
of the dependents, shall be entitled to the benefits of the
Program: *Provided*, That such member can show that contributions
have been made with sufficient regularity: *Provided, further*, That

1 the member is not currently subject to legal penalties as provided
2 for in Section 44 of this Act.

3 “The following need not pay the monthly contributions to be
4 entitled to the Program’s benefits:

5 “(a) Retirees and pensioners of the SSS and GSIS prior to the
6 effectivity of this Act; and

7 “(b) Lifetime members.”

8 “(c) **ALL SENIOR CITIZENS.**”
9

10 *Section 3.* Section 28 of the same Act is hereby amended to read as follows:

11 “SEC. 28. Contributions. – All members who can afford to pay,
12 **EXCEPT SENIOR CITIZENS**, shall contribute to the Fund, in
13 accordance with a reasonable, equitable and progressive
14 contribution schedule to be determined by the Corporation on the
15 basis of applicable actuarial studies and in accordance with the
16 following guidelines:
17 xxx”
18

19
20 *Section 4. Repealing Clause.* – All provisions of laws, orders, decrees, including rules
21 and regulations inconsistent herewith are hereby repealed and/or modified accordingly.
22

23 *Section 5. Effectivity.* - This Act shall take effect fifteen (15) days after its publication in
24 the *Official Gazette* or in a national newspaper of general circulation.
25

26 *Approved,*
27