

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

SEVENTEENTH CONGRESS
First Regular Session
House Bill No. 5579



Introduced by Honorable Cristal L. Bagatsing

Explanatory Note

The Social Justice provisions in the 1987 Constitution, particularly Article XIII, Sections 11 and 13 provide that:

“Sec. 11. The State shall adopt an integrated and comprehensive approach to health development which shall endeavour to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged, sick, elderly, disabled, women and children. The State shall endeavour to provide free medical care to paupers”

“Sec 13. The State shall establish a special agency for disabled persons for their rehabilitation, self-development and self-reliance, and their integration into the mainstream of society.”

Corollary to the above provisions of the Constitution, the United Nations Convention on the Rights of Persons with Disabilities defines PWDs as those who have long-term physical, mental, intellectual or sensory impairments which may hinder their full and effective participation in the society on an equal basis with others. The same convention called on all UN member-states to ensure that PWDs enjoy their rights, freedom and dignity.

Philhealth president and chief executive officer Alexander Padilla goes further by saying that the health benefits for PWDs shall be expanded in support of the United Nations Convention on the Rights of Persons with Disabilities and Rights of the Child wherein 21 countries, including the Philippines, are signatories to the APEC Global Friends of Disability.

Relative thereto, this bill aims to amend R.A. No. 7277 so that all persons with disability (PWDs) shall automatically be enrolled and covered under the National Health Insurance Program (NHIP) of the Philippine Health Insurance Corporation (PHILHEALTH). Premium contributions for all PWDs shall be paid by the National Government: provided, that the premium contributions of PWD members in the formal economy shall be shared equally by their employers and the National Government.

In view thereof, immediate passage of this bill is earnestly sought.


CRISTAL L. BAGATSING
Representative
5th District, Manila

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FIRST REGULAR SESSION
Seventeenth Congress

HOUSE BILL NO. 5579

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AN ACT

PROVIDING FOR THE MANDATORY PHILHEALTH COVERAGE FOR ALL PERSONS WITH DISABILITY (PWDs), AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7277, AS AMENDED, OTHERWISE KNOWN AS THE “MAGNA CARTA FOR PERSONS WITH DISABILITY”, AND FOR OTHER PURPOSES.

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

SECTION 1. Title Two, Chapter 8, Section 32 of Republic Act No. 7277, as amended, is hereby further amended to read as follows;

“CHAPTER 8. Other Privileges and Incentives.

“SEC. 32. Persons with disability shall be entitled to the following:

“XXX

“(f) MANDATORY PHILHEALTH COVERAGE

ALL PERSONS WITH DISABILITY (PWDS) SHALL AUTOMATICALLY BE ENROLLED AND COVERED UNDER THE NATIONAL HEALTH INSURANCE PROGRAM (NHIP) OF THE PHILIPPINE HEALTH INSURANCE CORPORATION (PHILHEALTH). PREMIUM CONTRIBUTIONS FOR ALL PWDS SHALL BE PAID BY THE NATIONAL GOVERNMENT: PROVIDED, THAT, THE PREMIUM CONTRIBUTIONS OF PWD MEMBERS IN THE FORMAL ECONOMY SHALL BE SHARED EQUALLY BY THEIR EMPLOYERS AND THE NATIONAL GOVERNMENT.

FUNDS NECESSARY TO ENSURE THE ENROLLMENT OF ALL PWDS SHALL BE SOURCED FROM THE NATIONAL HEALTH INSURANCE FUND OF PHILHEALTH, EARMARKED FROM THE PROCEEDS OF REPUBLIC ACT NO. 10351, IN ACCORDANCE WITH PERTINENT LAWS AND REGULATIONS.

THE PHIC SHALL DEVELOP EXCLUSIVE PACKAGES FOR PWDS THAT WILL ADDRESS THEIR SPECIFIC HEALTH AND DEVELOPMENT NEEDS”

“xxx”

SEC. 2. *Monitoring and Evaluation.* The Department of Health (DOH), in coordination with the Department of Social Welfare and Development (DSWD), the Department of Labor and Employment (DOLE), the National Council on Disability Affairs (NCDA), the local government units (LGUs), other relevant government agencies and non-government organisations, shall conduct a periodic monitoring and evaluation of the implementation of this Act. Towards this end, the DOH shall maintain an updated database on PWDs and their health and development needs. The LGUs, the PhilHealth, the NCDA, and other relevant government agencies are directed to submit their data on PWDs to the DOH.

SEC. 3. *Implementing Rules and Regulations (IRR)* – The PhilHealth, in consultation with the DOH, the DSWD, the DOE, the NCDA, and the LGUs shall promulgate the implementing rules and regulations (IRR), within three (3) months upon the effectivity of this Act.

SEC. 4. *Repeating Clause.* – All laws, decrees, executive orders, rules and regulations, or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly

SEC. 5. *Effectivity.* – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in a newspaper of general circulation.

Approved,