

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH (17TH) CONGRESS
Second Regular Session

HOUSE BILL NO. 6284



Introduced by Hon. Tricia Nicole Q. Velasco - Catera

EXPLANATORY NOTE

In our society, we recognize the special circumstances that Persons with Disabilities (PWDs) are in. For this reason, our State continuously institutes various measures to mitigate the effects of such circumstances, through laws such as Republic Act No. 7277, as amended, otherwise known as the "*Magna Carta for Persons with Disability*". Nevertheless, the author believes that more can still be done to improve the lives of PWDs.

Despite the various instruments and undertakings our State has embarked on, PWDs continue to face barriers with respect to their participation as equal members of society, more specifically with respect to the provision of proper health care services by the State.

As such, the aim of this bill, first and foremost, is to afford all persons with disabilities (PWDs) who are unable to support themselves free mandatory coverage under the National Health Insurance Program of the Philippine Health Insurance Corporation (PhilHealth). Inasmuch as many PWDs will be in dire need of medical assistance, while at the same time being in circumstances rendering them incapable of providing the requisite contributions to PhilHealth, the State will endeavor to provide funds sufficient for their coverage.

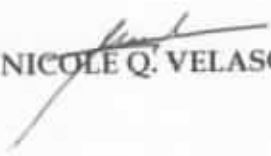
Secondarily, this bill aims to further alleviate the condition of PWDs by reducing the monetary burden on their movements in the country. This will be by way of granting them exemptions from passport processing fees, as well as travel taxes, terminal fees, and other fees and charges levied in relation to their transport / travels as passengers in airports, ports, and other terminals throughout the country.

Notably, the international human rights treaty of the United Nations, "The Convention on the Rights of Persons with Disabilities", provides:

"States Parties recognize that persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability. States Parties shall take all appropriate measures to ensure access for persons with disabilities to health services that are gender-sensitive, including health-related rehabilitation."

The Philippines is a signatory of the Treaty and ratified the same on the 15th of April, 2008. Mandatory coverage of PWDs under PhilHealth will help the Philippines satisfy its commitment to the international community, and more importantly to PWDs, by delivering them the highest standard of healthcare.

In keeping with the principle embraced by our country with regard to PWDs, as spelled out in the *Magna Carta for Persons with Disability*, of "adopting an integrated and comprehensive approach to their health development which shall make essential health services available to them at affordable cost", immediate passage of this bill is earnestly sought.


TRICIA NICOLE Q. VELASCO - CATERA

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AN ACT FURTHER AMENDING REPUBLIC ACT NO. 7277,
AS AMENDED, OTHERWISE KNOWN AS THE "MAGNA
CARTA FOR PERSONS WITH DISABILITY",
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER
PURPOSES

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

SECTION 1. - A new section to be known as Section 18-A is hereby inserted after Section 18 of Republic Act No. 7277, as amended by Republic Act No. 9442 and Republic Act No. 10754, otherwise known as the "*Magna Carta for Persons with Disability*", to read as follows:

"SEC. 18-A. MANDATORY PHILHEALTH COVERAGE. - ALL PERSONS WITH DISABILITY DULY REGISTERED WITH THE NATIONAL COUNCIL FOR DISABILITY AFFAIRS SHALL BE ENROLLED IN, AND COVERED BY, THE NATIONAL HEALTH INSURANCE PROGRAM OF THE PHILIPPINE HEALTH INSURANCE CORPORATION (PHILHEALTH). FUNDS NECESSARY TO ENSURE THE COVERAGE OF SUCH PERSONS WITH DISABILITY WHO ARE NOT CLASSIFIED UNDER ANY OTHER CONTRIBUTING MEMBER CATEGORY SHALL BE SOURCED FROM THE NATIONAL HEALTH INSURANCE FUND OF PHILHEALTH EARMARKED FROM THE PROCEEDS OF SIN TAX COLLECTIONS AS PROVIDED FOR IN REPUBLIC ACT NO. 10351."

SEC. 2. - A new subsection to be known as subsection (f) is hereby added after Section 32(e) of the same Act, to read as follows:

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

xxx xxx xxx

(e) xxx xxx xxx xxx xxx xxx xxx xxx xxx

(F) EXEMPTION FROM PASSPORT PROCESSING FEES, AS WELL
AS TRAVEL TAXES, TERMINAL FEES, OTHER FEES AND
CHARGES LEVIED IN AIRPORTS, PORTS, OR OTHER
TERMINALS BY THE GOVERNMENT, ANY OF ITS AGENCIES
OR INSTRUMENTALITIES, OR BY GOVERNMENT-OWNED OR
CONTROLLED CORPORATIONS.

xxx xxx xxx"

SEC. 2. *Implementing Rules and Guidelines.* - The Philippine Health Insurance Corporation (PhilHealth) and the Department of Social Welfare and Development (DSWD) shall promulgate, not later than thirty (30) days upon the effectivity of this Act, the necessary rules and regulations for its proper and effective implementation.

SEC. 3. *Separability Clause.* - Should any provision herein be subsequently declared invalid or unconstitutional, the same shall not affect the validity or the legality of the other provisions not so declared.

SEC. 4. *Repealing Clause.* - All laws, presidential decrees, executive orders, rules and regulations, other issuances, and parts thereof, which are inconsistent with the provisions of this Act, are hereby repealed and modified accordingly.

SEC. 5. *Effectivity* - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,