

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4731



Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.,**
HON. MIGUEL LUIS R. VILLAFUERTE, HON. TSUYOSHI ANTHONY "HORI" G.
HORIBATA AND HON. NICOLAS "NICK" C. ENCISO VIII

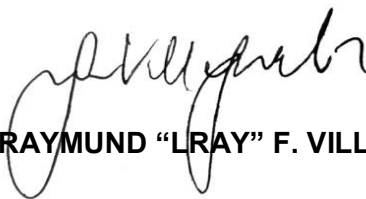
EXPLANATORY NOTE

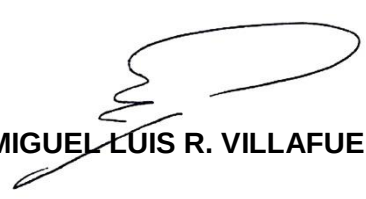
The bill seeks to create a centralized source of information to verify the death of any person in the Philippines to detect fraud and act quickly to help reduce fraudulent events caused mostly by identity theft.

Obtaining the identity of dead persons is rampant in the Philippines to get financial benefits. We have seen this in the WellMed issue of PhilHealth where some patients who availed of dialysis procedures are reportedly dead at the time of the availment of the procedure. It is also used to perpetrate electoral fraud or to unlawfully avail of social benefits provided by the government through its agencies, such as. Social Security System (SSS), Government Service Insurance System (GSIS), Home Development Mutual Fund (HDMF), and the Philippine Veterans Affairs Office (PVAO).

In this proposal, death verification request may be processed by PSA through the death verification system. The Online Death Verification System that will be developed and utilized shall be readily accessible to Philhealth, SSS, GSIS, HDMF, and the Commission on Elections to prevent fraud in health care, insurance, and social benefit systems, as well as in our electoral processes.

In view of the foregoing, the approval of this bill is most earnestly sought.


LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.


MIGUEL LUIS R. VILLAFUERTE


TSUYOSHI ANTHONY "HORI" G. HORIBATA


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**AN ACT FACILITATING THE ADMINISTRATION OF JUSTICE
BY STRENGTHENING THE FRAUD DETECTION, PREVENTION AND
ELIMINATION CAPABILITY OF THE GOVERNMENT BY CREATING A
PHILIPPINE DEATH CHECK (PDC) REGISTER AND ONLINE DEATH
VERIFICATION (ODV) SYSTEM UNDER THE PHILIPPINE STATISTICS
AUTHORITY, AMENDING SECTION 6 OF ACT NO. 3753,
AND FOR OTHER PURPOSES**

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

SECTION 1. *Short Title.* - This Act shall be known as the "*PSA Online Death
Verification System Act*".

SECTION 2. *Declaration of Policy.* - The State acknowledges that lack of immediate access to death data is being exploited by criminals and syndicates in perpetrating fraudulent activities and corrupt practices. The State recognizes the vital role of information and communication technology in protecting the government and Filipinos against identity fraud. Therefore, it is hereby declared the policy of the State to establish an efficient, integrated and centralized online death verification system that allows immediate access to death data by government instrumentalities, such as Commission on Elections (COMELEC), Philippine Health Insurance Corporation (PHIC), Government Service Insurance System (GSIS), Social Security System (SSS), Home Development Mutual Fund (HDMF) and Philippine Veterans Affairs

Office (PVAO) in order to ensure early detection and prevention of identity fraud perpetrated against the Government and its instrumentalities and agencies.

SECTION 3. *Definition of Terms.* - As used In this Act:

- (a) *Authentication* - refers to the process of verifying the death of any person with the Philippine Death Check Register through the Online Death Verification System.
- (b) *COMELEC* - refers to the Commission on Election of the Philippines.
- (c) *Data subject* - refers to an Individual whose death Is being verified.
- (d) *GSIS* - refers to the Government Service Insurances System created by Commonwealth Act No. 186, as amended.
- (e) *HDMF* - refers to the Home Development and Mutual Fund created under President Decree No. Republic Act No. 9679.
- (f) *Mortality Data* - refers to the Information indicated In the Death Certificate duly registered with the Local Civil Registrar in accordance with Act No. 3753.
- (g) *Personal Information* - refers to any Information whether recorded in a material form or not, from which the identity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information would directly and certainly identify an individual.
- (h) *PHIC* - refers to the Philippine Health Insurance Corporation created under Republic Act No. 7875, as amended.
- (i) *SSS* - refers to the Social Security System established under Republic Act No. 1161, as amended.

SECTION 4. *Philippine Death Check Register.* - There shall be established a Philippine Death Check (PDC) Register to be maintained by the Philippine Statistics Authority (PSA). The PDC is a centralized and electronic database containing mortality data registered with the Local Civil Registrar. PSA shall ensure the security and integrity of the PDC by safeguarding these from data breach and any other mode of tampering data to perpetrate fraud;

Once death Is registered with the Local Civil Registry, the Information shall be immediately uploaded to the Philippine Death Check Registrar Electronic System.

The PSA, in coordination with the Department of Information and Communication Technology (DICQ and the National Privacy Commission (NPC) shall Implement such programs to facilitate Immediate access by PSA to mortality data registered with the Local Civil Registrars.

SECTION 5. *Online Death Verification System.* - The PSA shall establish an Online Death Verification System, which shall be a centralized and online system for death verification that shall ensure timely detection and prevention of identity theft of deceased persons.

The PSA, through the Online Death Verification System shall verify the death of the data subject upon receipt of information necessary to verify the identity of the data subject, as may be required In the Implementing Rules and Regulations, and shall immediately notify COMELEC, PHIC, GSIS, SSS, HDMF, PVAO of the death verification result.

Except for COMELEC, PHIC, SSS, GSIS, HDMF, and PVAO, an Information Sharing Agreement between PSA and other Government Instrumentalities or Government Agencies shall be required prior to being granted access to the Online Death Verification System.

SECTION 6. *Information Sharing.* - The PSA shall Immediately make available to the COMELEC Philhealth, GSIS, SSS, HDMF, and PVAO, without cost, such other data in the PDC Registrar as may be necessary for the validation of any member or beneficiary claim made with said agencies.

SECTION 7. *Data Privacy and Confidentiality.* - Government instrumentalities and agencies granted access under Section 5 of this Act shall ensure at all times the confidentiality of any personal information that comes to its knowledge and possession, and the same shall be used solely for verification and authentication purposes.

SECTION 8. *Death Repotting and Registration.* - To ensure an up-to-date death information system. Section 6 of Act No. 3753 or otherwise known as the Law on Registry of Civil Status Is hereby amended as follows:

SECTION 6. Death certificate and register. — No human body shall be buried unless the proper death certificate has been presented and recorded in the office of the local civil registrar. The following physician who attended the deceased or, in his default the health officer concerned, or in default of the latter, any member of the family of the deceased or any person having knowledge of the death, shall report the same to the local health authorities, who shall Issue a death certificate and shall order the same to be recorded In the office of the local civil registrar **(LCR) WITHIN 48 HOURS FROM THE DEATH OF THE DECEDENT.** The death certificate, which shall be issued by the attending physician of the deceased or, in his default, by the proper health officer, shall contain the following Mortality Data be furnished by the person reporting the death; (a) date and place of death; (b) full name, (c) age, (d) sex, (e) occupation or profession, (f) residence; (g) status as regards marriage, (h) nationality of the deceased, and (l) probable cause of death.

During epidemics, bodies may be buried provided the proper death certificates have been secured, which shall be registered not later 9 than five days after the burial of the body.

THE LCR SHALL REGISTER THE MORTALITY DATA IN PDC REGISTRAR IMMEDIATELY WITHIN TWENTY-FOUR (24) HOURS FROM THE TIME OF RECEIPT.

SECTION 9. *Implementing Rules and Regulation.* - The Philippine Statistics Authority shall issue rules and regulations to implement the provisions of this Act within one hundred twenty (120) days from the effectivity of this Act.

SECTION 10. *Appropriation.* - The amount necessary to carry out the initial implementation of this Act shall be sourced from any available funds of the National

Treasurer, and is hereby appropriated and authorized to be released for its initial operations.

SECTION 11. *Separability Clause.* - If any provision of this Act is declared unconstitutional, such sections or parts not affected thereby shall remain in full force and effect.

SECTION 12. *Repealing Clause.* - All other laws, decrees, executive orders, proclamations and administrative regulations or parts thereof inconsistent herewith are hereby repealed or modified accordingly.

SECTION 13. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) national newspaper of general circulation.

Approved,