

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

TWENTIETH CONGRESS
First Regular Session



HOUSE BILL NO. 2722

Introduced by REP. RODOLFO "OMPONG" M. ORDANES

AN ACT
PROHIBITING HEALTH MAINTENANCE ORGANIZATIONS (HMOs) AND
THEIR PROVIDERS FROM DENYING HEALTH CARE SERVICES TO SENIOR
CITIZENS OR IMPOSING AN AGE LIMIT OR CEILING TO ENROLL AND
AVAIL THEIR HEALTH CARE SERVICES, IMPOSING PENALTIES FOR
VIOLATIONS THEREOF, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

It is the mandate of the State to value the dignity of every human person and guarantee full respect for human rights. In line with this, the government must ensure that our senior citizens, who have spent the best years of their lives contributing to the nation's development, are afforded equal protection and access to essential services, including health care.

Despite the passage of various laws such as Republic Act No. 9994 or the "Expanded Senior Citizens Act of 2010," many senior citizens still face institutionalized discrimination, particularly in the private health sector. One glaring issue is the refusal by Health Maintenance Organizations (HMOs) to accept senior citizens as members, or their imposition of arbitrary age ceilings for enrollment, renewal, or access to healthcare services. Some HMOs either deny access outright or impose excessive premiums and limited benefits based solely on age, effectively excluding our elderly population from private health coverage at the time they need it the most.

This bill seeks to correct this inequity by prohibiting HMOs and their affiliated providers from denying or limiting access to health care services based solely on age.

It also prohibits setting age limits for enrollment or renewal and penalizes unjust practices such as charging higher premiums or reducing benefits without actuarial justification and regulatory approval.

By mandating equal access and prohibiting age-based discrimination in health care services, this legislative measure affirms the constitutional right of senior citizens to equal protection under the law and ensures that no elderly Filipino is left behind in our health care system.

Given the foregoing, the immediate passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to be 'Rodolfo' with a stylized flourish.

RODOLFO "OMPONG" M. ORDANES

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Anti-Age
2 *Discrimination in Health Care Services Act.*”

3 SEC. 2. *Declaration of Policy.* – It is the policy of the State to uphold the rights
4 and dignity of senior citizens and to protect them against all forms of discrimination,
5 particularly in the area of health care. The State shall ensure that every Filipino citizen
6 aged sixty (60) and above is given equal access to essential health services, regardless
7 of age, through both public and private providers, including Health Maintenance
8 Organizations (HMOs).

9 SEC. 3. *Definition of Terms.* – As used in this Act, the following terms are
10 defined as follows:

- 11 a) *Senior citizen* refers to any Filipino citizen who is sixty (60) years old and
12 above, as defined under Republic Act No. 9994, or the “Expanded Senior
13 Citizens Act of 2010”;
14 b) *Health Maintenance Organization (HMO)* refers to an entity authorized by
15 the Insurance Commission to provide, offer, or arrange for coverage of
16 health care services to its members for a fixed, prepaid amount;

1 c) *Provider* refers to any hospital, clinic, doctor, or other health service
2 facility or professional accredited by or affiliated with an HMO;

3 d) *Health care services* include medical consultations, hospitalization,
4 emergency services, diagnostic tests, treatment, surgery, and other
5 health interventions or preventive services covered under HMO plans.

6 **SEC. 4. *Prohibition Against Age Discrimination.*** – The following acts by HMOs
7 and their accredited or affiliated providers are hereby prohibited:

8 a) Denying or refusing senior citizens enrollment in any health plan or
9 program based solely on age;

10 b) Imposing age ceilings or maximum age limits for membership or
11 renewal of health plan coverage;

12 c) Denying or withholding any health care service or benefit covered under
13 an existing plan based on the member's age;

14 d) Imposing higher premium rates or limiting benefits solely on account of
15 age, without an actuarial basis and prior approval from the Insurance
16 Commission.

17 **SEC. 5. *Penalties.*** – Any Health Maintenance Organization (HMO) or its
18 provider that violates any provision of this Act shall be subject to the following
19 penalties:

20 a) A fine of not less than One Hundred Thousand Pesos (₱100,000.00) but not
21 more than Five Hundred Thousand Pesos (₱500,000.00), depending on the
22 gravity and frequency of the violation;

23 b) Suspension or revocation of license or accreditation, after due notice and
24 hearing, as determined by the Insurance Commission in coordination with
25 the Department of Health (DOH).

26 In addition to administrative penalties, aggrieved senior citizens may seek civil
27 damages or file criminal complaints under applicable laws.

28 **SEC. 7. *Implementing Rules and Regulations.*** – The Insurance Commission, in
29 coordination with the Department of Health (DOH) and the National Commission of
30 Senior Citizens (NCSC), shall promulgate implementing rules and regulations within
31 sixty (60) days from its effectivity, and ensure compliance with this Act.

32 **SEC. 8. *Repealing Clause.*** – All laws, executive orders, rules, and regulations,
33 or any part thereof, inconsistent herewith are deemed repealed or modified
34 accordingly.

35 **SEC. 9. *Separability Clause.*** – If any part or provision of this Act shall be
36 declared unconstitutional and invalid, such declaration shall not invalidate other parts
37 thereof, which shall remain in full force and effect.

38 **SEC. 10. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
39 complete publication in the Official Gazette or at least two (2) newspapers of general
40 circulation, whichever comes earlier.

41 *Approved,*