

SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

HOUSE OF REPRESENTATIVES  
H. No. 2738

HOUSE OF REPRESENTATIVES	
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REGISTRATION UNIT BILLS AND INDEX SERVICE	

Introduced by **Representative Raul C. Tupas**

**EXPLANATORY NOTE**

**AN ACT GRANTING MANDATORY PHILHEALTH COVERAGE TO 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", PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES**

Article 2, Section 15 of the Philippine Constitution mandates that "the State shall protect and promote the right to health of the people and instill health consciousness among them." Article XIII, Section 11 also provides, "the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost."

Section 4 (a) of Republic Act No. 7277 entitled "An Act Providing For The Rehabilitation, Self-Development, and Self-Reliance of Disabled Persons And Their Integration Into The Mainstream of Society and For Other Purposes" defines Disabled Persons are those suffering from restriction of different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being.

The Philippine Statistics Authority based on its 2010 Census on Population and Housing reported that **about 16 per thousand of the country's population had disability**. Of the 92.1 million household population in the country, 1,443 thousand persons or 1.57 percent had disability, based on the 2010 Census of Population and Housing (2010 CPH). The recorded figure of persons with disability (PWD) in the 2000 CPH was 935,551 persons, which was 1.23 percent of the household population.

Among the 17 regions, Region IV-A had the highest number of PWD at 193 thousand. This was followed by the National Capital Region (NCR) with 167 thousand PWD. The Cordillera Administrative Region (CAR), on the other hand, had the lowest number of PWD at 26 thousand.<sup>1</sup>

<sup>1</sup> <https://psa.gov.ph/content/persons-disability-philippines-results-2010-census>

This bill seeks to enable all PWDs to be covered by the National Health Insurance Program (NHIP) of the Philippine Health Insurance Corporation (PHILHEALTH). The funds needed to guarantee the enrolment of all PWDs shall be sourced from the National Health Insurance Fund of Philhealth derived from the proceeds of R.A. No. 10351 also known as the "Sin Tax Reform Act of 2012."

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

A handwritten signature in black ink, appearing to read 'R. Tupas', is positioned above the printed name.

**RAUL C. TUPAS**

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

**SECTION 1. Title.** –This Act shall be known as the "Mandatory Philhealth Coverage for All PWDs Act of 2016".

**SECTION 2.** - Two new sections are hereby added after Section 20 under "Chapter III. HEALTH" of Republic Act no. 7277, as amended otherwise known as the "Magna Carta for Persons with Disability" to read as follows:

**"SEC. 21. MANDATORY PHILHEALTH COVERAGE - ALL PERSONS WITH DISABILITY SHALL BE COVERED BY THE NATIONAL HEALTH INSURANCE PROGRAM OF THE PHILIPPINE HEALTH INSURANCE CORPORATION (PHILHEALTH). FUNDS NECESSARY TO ENSURE THE ENROLLMENT OF ALL PWDS WHO ARE NOT CURRENTLY COVERED UNDER ANY EXISTING 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. 22. ENROLMENT OF PWDS - THE ENROLMENT TO THE PROGRAM IS AVAILABLE ONLY TO PWDS WHO ARE FILIPINO CITIZENS UPON SUBMISSION OF ANY OF THE FOLLOWING AS PROOF OF HIS/HER ENTITLEMENT THERETO:**

**(I) AN IDENTIFICATION CARD ISSUED BY THE CITY OR MUNICIPAL MAYOR OR THE BARANGAY CAPTAIN WHERE THE PWD RESIDES;**

**(II) THE PASSPORT OF THE PWD CONCERNED; OR**

28  
29 **(III) TRANSPORTATION FARE IDENTIFICATION CARD (ID) ISSUED**  
30 **BY THE NATIONAL COUNCIL FOR THE WELFARE OF DISABLED**  
31 **PERSONS (NCWDP)."**  
32

33 **SECTION 3.** - The succeeding sections of Republic Act No. 7277, as amended, are  
34 hereby renumbered accordingly.  
35

36 **SECTION 4.** Implementing Rules and Regulations - The Department of Social Welfare  
37 and Development (DSWD), in consultation with the Philippine Health Insurance  
38 Corporation (PHILHEALTH), Department of Health (DOH), the Department of Finance  
39 (DOF), and the National Council on Disability Affairs (NCDA), shall promulgate the  
40 necessary rules and regulations for the effective implementation of the provisions of  
41 this Act: *Provided*, That the failure of the concerned agencies to promulgate the said  
42 rules and regulations shall not prevent the implementation of this Act upon its  
43 effectivity.  
44

45 **SECTION 5. Repealing Clause.** - All laws decrees, resolutions, orders or ordinances  
46 or parts thereof inconsistent with this Act, are hereby repealed, amended or modified  
47 accordingly.  
48

49 **SECTION 6. Effectivity Clause.** -This Act shall take effect fifteen (15) days after its  
50 publication in the Official Gazette or in at least two (2) newspaper of general  
51 circulation.  
52

53 Approved,