

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3490

HOUSE OF REPRESENTATIVES	
RECEIVED	
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Introduced by: Hon. Angelina "Helen" D.L. Tan, M.D.

AN ACT PROVIDING FOR 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

EXPLANATORY NOTE

Article 2, Section 11 of the Constitution provides that "the State values the dignity of every human person and guarantees full respect for human rights."

Moreover, Article 2, Section 15 of the Constitution also mandates that "the State shall protect and promote the right to health of the people and instill consciousness among them."


Based on the 2010 Census on Population and Housing, there are sixteen (16) in every one thousand (1,000) or about 1.6 million Filipinos who have disabilities. According to the World Health Organization, people with disabilities tend to seek more health care than people without disabilities, thus, having greater unmet needs. Disabled Filipinos are said to belong to the poorest segments of the Filipino population. Hence, they are the ones who are greatly challenged to provide for their basic needs, specifically those that are health and medical in nature.

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.

In the Philippines, the rights of PWDs, particularly in the fields of employment, education, health, auxiliary services and telecommunications are enshrined in Republic Act No. 7277 or the "Magna Carta for Persons with Disability". This law also prohibits any and all discriminatory acts against PWDs. Subsequently, RA No. 9442 which amended the said Magna Carta extended to PWDs the privileges and incentives being enjoyed by senior citizens such as discounts on purchases of select goods and services.

This measure seeks to ensure that all PWDs are covered by the National Health Insurance Program of the Philippine Health Insurance Corporation (Philhealth). If enacted, PWDs will no longer have to pay for their contribution. The funds necessary to guarantee the enrollment of all PWDs shall be sourced from the National Health Insurance Fund of Philhealth from proceeds of RA No. 10351 also known as the "Sin Tax Reform Act of 2012."

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


ANGELINA "HELEN" D.L. TAN, M.D.
4th District, Quezon

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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 "Mandatory Philhealth Coverage for All PWDs Act".

SEC. 2. A new section is hereby added after Section 18 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. 19. MANDATORY PHILHEALTH COVERAGE. - ALL PERSONS WITH DISABILITY SHALL BE COVERED BY THE NATIONAL HEALTH INSURANCE PROGRAM OF 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. 3. The succeeding sections of Republic Act No. 7277, as amended, are hereby renumbered accordingly.

SEC. 4. Implementing Rules and Regulations. 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 regulation for its proper and effective implementation.

SEC. 5. Repealing 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. 6. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,