

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



'22 DEC 20 P 1 :49

SENATE
S. No. 1626

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Introduced by SENATOR RAMON BONG REVILLA, JR.

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

EXPLANATORY NOTE

The recent investigation on Philippine Health Insurance Corporation (PhilHealth) payments for fraudulent claims, coupled with the rising healthcare cost exacerbated by the pandemic, has prompted the filing of this measure. The use of someone else's identity to gain financial benefits is a global burden, and it is not limited to the health sector.

Health insurance, social benefit systems, and electoral processes are prone to identity fraud. Identity theft perpetrates in electoral fraud with countless stories of "ghost voters" or dead individuals still able to cast their votes, and in the Social Security System (SSS), Government Service Insurance System (GSIS) and the Philippine Veterans Affairs Office (PVAO), among others, with unlawful availment for social benefits.

The measure proposes the creation of a centralized source of information for death verification of any person in the country as an initial step for deterrence of fraud. This centralized information system consisting of an electronic database will be called the Philippine Death Check (PDC) Register and an Online Death Verification (ODV) System to be managed by the Philippine Statistics Authority (PSA). Once the death

certificate is registered with the Local Civil Registry, the mortality data recorded shall be uploaded to the PDC Register.

This measure amends Section 6 of Act No, 3753 otherwise known as the "*Law on Registry of Status*"; to require the immediate reporting of death to the office of the local civil registrar (LCR). Corollary, the bill provides for data sharing agreements with Philhealth, SSS, GSIS, Home Development Mutual Fund (HDMF) and the Commission on Elections for the Online Death Verification System.

This bill was originally filed by Senator Richard Gordon in the Eighteenth Congress.

In view of further safeguarding the limited government fund from identity fraud, the passage of this measure is earnestly sought.


RAMON BONG REVILLA, JR. 

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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 "PSA Online Death
2 Verification System Act".

3 Sec. 2. *Declaration of Policy.* - The State acknowledges that lack of immediate
4 access to death data is being exploited by criminals and syndicates in perpetrating
5 fraudulent activities and corrupt practices. The State recognizes the vital role of
6 information and communication technology in protecting the government and Filipinos
7 against identity fraud. Therefore, it is hereby declared the policy of the State to
8 establish an efficient, integrated and centralized online death verification system that
9 allows immediate access to death data by government instrumentalities, such as
10 Commission on Elections (COMELEC), Philippine Health Insurance Corporation (PHIC),
11 Government Service Insurance System (GSIS), Social Security System (SSS), Home
12 Development Mutual Fund (HDMF) and Philippine Veterans Affairs Office (PVAO) in
13 order to ensure early detection and prevention of identity fraud perpetrated against
14 the Government and its instrumentalities and agencies.

15 Sec. 3. *Definition of Terms.* - As used in this Act:

- 1 a. *Authentication* refers to the process of verifying the death of any person with
2 the Philippine Death Check Register through the Online Death Verification System;
- 3 b. *COMELEC* refers to the Commission on Election of the Philippines;
- 4 c. *Data subject* refers to an Individual whose death is being verified;
- 5 d. *GSIS* refers to the Government Service Insurances System created by
6 Commonwealth Act No. 186, as amended;
- 7 e. *HDMF* refers to the Home Development and Mutual Fund created 10 under
8 President Decree No. Republic Act No. 9679;
- 9 f. *Mortality Data* refers to the Information indicated in the Death Certificate duly
10 registered with the Local Civil Registrar in accordance with Act No. 3753;
- 11 g. *Personal Information* refers to any information whether recorded in a material
12 form or not, from which the identity of an individual is apparent or can be reasonably
13 and directly ascertained by the entity holding the information, or when put together
14 with other information would directly and certainly identify an individual;
- 15 h. *PHIC* refers to the Philippine Health Insurance Corporation created under
16 Republic Act No. 7875, as amended; and
- 17 i. *SSS* refers to the Social Security System established under Republic Act No.
18 1161, as amended.

19 *Sec. 4. Philippine Death Check Register.* - There shall be established a Philippine
20 Death Check (PDC) Register to be maintained by the Philippine Statistics Authority
21 (PSA). The PDC is a centralized and electronic database containing mortality data
22 registered with the Local Civil Registrar. PSA shall ensure the security and integrity of
23 the PDC by safeguarding these from data breach and any other mode of tampering
24 data to perpetrate fraud. Once death is registered with the Local Civil Registry, the
25 Information shall be immediately uploaded to the Philippine Death Check Registrar
26 Electronic System. The PSA, in coordination with the Department of Information and
27 Communication Technology (DICT) and the National Privacy Commission (NPC) shall
28 Implement such programs to facilitate Immediate access by PSA to mortality data
29 registered with the Local Civil Registrars.

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

1 deceased persons. The PSA, through the Online Death Verification System, shall verify
2 the death of the data subject upon receipt of information necessary to verify the
3 identity of the data subject, as may be required in the Implementing Rules and
4 Regulations, and shall immediately notify COMELEC, PHIC, GSIS, SSS, HDMF, PVAO
5 of the death verification result. Except for COMELEC, PHIC, SSS, GSIS, HDMF, and
6 PVAO, an Information Sharing Agreement between PSA and other Government
7 Instrumentalities or Government Agencies shall be required prior to being granted
8 access to the Online Death Verification System.

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

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

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

21 *Sec. 6. Death Certificate and Register.* — No human body shall be buried unless
22 the proper death certificate has been presented and recorded in the office of
23 the local civil registrar. The following physician who attended the deceased or,
24 in his default the health officer concerned, or in default of the latter, any
25 member of the family of the deceased or any person having knowledge of the
26 death, shall report the same to the local health authorities, who shall issue a
27 death certificate and shall order the same to be recorded in the office of the
28 local civil registrar (LCR) **WITHIN 48 HOURS FROM THE DEATH OF THE**
29 **DECEDENT.** The death certificate, which shall be issued by the attending
30 physician of the deceased or, in his default, by the proper health officer, shall
31 contain the following Mortality Data be furnished by the person reporting the
32 death; (a) date and place of death; (b) full name, (c) age, (d) sex, (e)

1 occupation or profession, (f) residence; (g) status as regards marriage, (h)
2 nationality of the deceased, and (I) probable cause of death. During epidemics,
3 bodies may be buried provided the proper death certificates have been secured,
4 which shall be registered not later than five days after the burial of the body.

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

8 *Sec. 9. Implementing Rules and Regulations (IRR)* - The Philippine Statistics
9 Authority (PSA) shall issue the IRR to implement the provisions of this Act within one
10 hundred twenty (120) days from the effectivity of this Act.

11 *Sec. 10. Appropriation.* - The amount necessary to carry out the initial
12 implementation of this Act shall be sourced from any available funds of the National
13 Treasurer, and is hereby appropriated and authorized to be released for its initial
14 operations.

15 *Sec. 11. Separability Clause.* - If any provision of this Act is declared invalid or
16 unconstitutional, other provisions hereof which are not affected thereby shall remain
17 in full force and effect.

18 *Sec. 12. Repealing Clause.* — All laws, presidential decrees, executive orders,
19 rules and regulations contrary to, or inconsistent with, the provisions of this Act are
20 repealed, amended or modified accordingly.

21 *Sec. 13. Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
22 complete publication either in the Official Gazette or in at least two (2) national
23 newspapers of general circulation in the Philippines.

Approved,