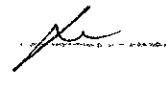


FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

NOV 26

SENATE

S.B. No. 2326

RECEIVED BY 

Introduced by Senator Loren Legarda

EXPLANATORY NOTE

As provided in the 1987 Constitution of the Philippines, the State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. (*Article II, Section 13*)

Statistics show that 31 percent of the children in pre-school are underweight, while for those of school-age children, 32.9 percent. Of these figures, most come from families that are living within the poverty belt, if not below it. Undernutrition paves the way for diseases and weaknesses in health, and more often than not, results in lifetime disability.

While the National Health Insurance Act provides a system wherein the poor can avail of health services through their membership in the National Health Insurance Program (NHIP), there are gaps that need to be filled - particularly on children.

This bill seeks to fill the gaps by increasing the scope and coverage of the NHIP to cover the health needs of the children. In the proposed measure, the Children's Health Insurance Program (CHIP) will be put in place. Under this program, eligible children coming from low-income families shall be entitled to a full range of health services that include, but do not limit to, regular check-ups, immunizations, prescription drugs, lab tests, dental care.

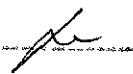
Moreover, this proposed legislation is in line with the Millennium Development Goals of reducing child mortality, among others. Recognizing the importance of children's welfare, especially on health, and likewise giving material support through such a measure, is a step towards fulfilling the goals of providing a world fit for children to live in.

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



LOREN LEGARDA
Senator

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

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SENATE
S.B. No. 2326

Introduced by Senator Loren Legarda

AN ACT INSTITUTING MECHANISMS FOR THE ESTABLISHMENT OF A CHILDREN'S HEALTH INSURANCE PROGRAM, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7875, OTHERWISE KNOWN AS "THE NATIONAL HEALTH INSURANCE ACT OF 1995," AS AMENDED BY R.A. 9241, AND FOR OTHER PURPOSES

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

SECTION 1. Section 4 of Republic Act No. 7875 is hereby amended to read as follows:

"SEC. 4. Definition of Terms. – For the purposes of this Act, the following terms shall be defined as follows:

xxx

(d) *CHILD HEALTH ASSISTANCE* – A RANGE OF HEALTH CARE AND SUPPORT SERVICES INCLUDING, BUT NOT LIMITED TO, PHYSICIAN SERVICES AND ANY OTHER MEDICAL, DIAGNOSTIC, SCREENING, PREVENTIVE, RESTORATIVE, REMEDIAL, THERAPEUTIC OR REHABILITATIVE SERVICES;

xxx

(s) Member – Any person whose premiums have been regularly paid to the National Health Insurance Program. He may be a paying member, an indigent member, A QUALIFIED CHILD MEMBER, or a pensioner / retiree member.

xxx

(dd) QUALIFIED CHILD MEMBER – ANY CHILD OF A LOW-INCOME FAMILY UNDER 6 YEARS OF AGE OR OVER BUT WHO ARE UNABLE TO FULLY TAKE CARE OF THEMSELVES OR PROTECT THEMSELVES FROM ABUSE, NEGLECT, CRUELTY, EXPLOITATION OR DISCRIMINATION BECAUSE OF A PHYSICAL, MENTAL DISABILITY OR CONDITION AND WHOSE FAMILY IS BELOW

POVERTY LINE, AND DETERMINED AS SUCH BY THE PERTINENT GOVERNMENT AGENCY;

SECTION 2. Section 5 of the same Act shall now read as follows:

“**Sec. 5.** Establishment and Purpose. – There is hereby created the National Health Insurance Program which shall provide health insurance coverage and ensure affordable, acceptable, available and accessible health care services for all citizens of the Philippines, in accordance with the policies and specific provisions of this Act. Xxx. It shall initially consist of Programs I and II of Medicare and be expanded progressively to constitute one universal health insurance program for the entire population. IT SHALL INITIATE AND EXPAND THE PROVISION OF CHILD HEALTH ASSISTANCE TO INCLUDE A CHILD HEALTH INSURANCE PROGRAM FOR UNINSURED, LOW-INCOME CHILDREN IN AN EFFECTIVE AND EFFICIENT MANNER THAT IS COORDINATED WITH OTHER SOURCES OF HEALTH BENEFITS COVERAGE FOR CHILDREN. xxx.

SECTION 3. Section 6 of the same Act shall now read as follows:

“**SEC. 6.** Coverage. - All citizens of the Philippines, WHETHER CHILD OR ADULT, shall be covered by the National Health Insurance Program. In accordance with the principles of universality and compulsory coverage enunciated in Section 2 (b) and 2 (1) hereof, implementation of the Program shall, furthermore, be gradual and phased in over a period of not more than fifteen (15) years: *Provided*, That the Program shall not be made compulsory in certain provinces and cities until the Corporation shall be able to ensure that members in such localities shall have reasonable access to adequate and acceptable health care services.”

SECTION 4. Section 7 of the same Act shall now read as follows:

“**SEC. 7.** Enrollment. - The Program shall enroll beneficiaries in order for them to be placed under coverage that entitles them to avail of benefits with the assistance of the financial arrangements provided by the Program. The process of enrollment shall include the identification of beneficiaries, issuance of appropriate documentation specifying eligibility to benefits, and indicating how membership was obtained or is being maintained. The enrollment shall proceed in accordance with these specific policies:

- a) xxx;
- b) xxx;
- c) xxx; and
- d) xxx.

All indigents AND QUALIFIED CHILD MEMBER not enrolled in the Program shall have priority in the use and availment of the services and facilities of government hospitals, health care personnel, and other health organizations: Provided, however, That such government health care providers shall ensure that said indigents AND QUALIFIED CHILD MEMBER shall subsequently be enrolled in the Program.”

SECTION 5. Section 12 of the same Act shall now read as follows:

“**SEC. 12. Entitlement to Benefits.** – xxx

The following need not pay the monthly contributions to be entitled to the Program’s benefits: Retirees and pensioners of the SSS and GSIS prior to the effectivity of this Act; Members who reach the age of retirement as provided for by law and have paid at least one hundred twenty (120) monthly contributions; [and] Enrolled indigents; AND (D) QUALIFIED CHILD OF LOW-INCOME FAMILIES.

SECTION 6. Section 28 of the same Act is hereby amended to read as follows:

“**SEC. 28. Contributions.** – All members of the Program shall contribute to the Fund, in accordance with a reasonable, equitable and progressive contribution schedule to be determined by the Corporation on the basis of applicable actuarial studies and in accordance with the following guidelines:

xxx

xxx

xxx

CONTRIBUTIONS MADE IN BEHALF OF A QUALIFIED CHILD MEMBER SHALL NOT EXCEED THE MINIMUM CONTRIBUTIONS SET FOR EMPLOYED MEMBERS.”

SECTION 7. A new Section 30 is hereby added to read as follows:

SEC. 30. Payment for a Child Beneficiary's Contributions. – CONTRIBUTIONS FOR QUALIFIED CHILDREN BENEFICIARIES SHALL BE SUBSIDIZED PARTIALLY BY THE LOCAL GOVERNMENT UNIT WHERE THE MEMBER RESIDES. THE CORPORATION SHALL PROVIDE COUNTERPART FINANCING EQUAL TO THE LGU'S SUBSIDY FOR CHILDREN. THE SHARE OF THE LGUS SHALL BE PROGRESSIVELY INCREASED UNTIL SUCH TIME THAT ITS SHARE BECOMES EQUAL TO THAT OF THE NATIONAL GOVERNMENT.

SECTION 8. *Implementing Rules and Regulations.* Within thirty (30) days from the effectivity of this Act, the Board of Directors of the Philippine Health Insurance Corporation (PHIC) shall convene to formulate the rules and regulations for the implementation of this Act.

SECTION 9. *Separability Clause* If any part or provision of this Act shall be held unconstitutional or invalid, other provisions which are not affected thereby shall continue to be in full force and effect..

SECTION 10. *Repealing Clause.* All laws, presidential decrees, executive orders, rules and regulations or parts thereof which are deemed inconsistent wit the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 11. *Effectivity Clause.* This Act shall take effect fifteen (15) days following its full and complete publication in an Official Gazette or in at least two (2) newspapers of general circulation, whichever comes first.

Approved,