

SENATE

S. No. 1012

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

The State's policy to adopt an integrated and comprehensive approach to health development available to all Filipinos and the provision of affordable medical care to the underprivileged was implemented with the enactment of Republic Act No. 7875, otherwise known as the National Health Insurance Act of 1995. The program covers a sustainable and progressive social health insurance and affordable quality health care services readily accessible to all Filipinos. The Act provides a system wherein the poor can avail of health services through their membership in the National Health Insurance Program (NHIP). At the core of this program is the creation of the Philippine Health Insurance Corporation (PHILHEALTH) in place of MEDICARE.

As the country's premier state-run health insurer, PHILHEALTH sets the standards, rules and regulations necessary to ensure quality of care, appropriate utilization of services, fund viability, member satisfaction, and over-all accomplishment of the program objectives set forth under R.A. No. 7875. Said law specifically provides that accessibility to these health care services are accorded to all Filipinos where the underprivileged, sick, elderly, disabled, women and children are given the utmost priority.

This proposed bill seeks to provide mandatory health insurance to all public utility drivers all over the country by requiring operators to provide PHILHEALTH coverage to their drivers.

Being on the road for more than 12 hours everyday and driving even way past midnight, there is an urgent need to provide a mandatory health insurance package for our thousands of public utility drivers who deliver millions of our commuters to their point of destination.

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


MANUEL "LITO" M. LAPID
Senator 

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AN ACT
REQUIRING THE MANDATORY COVERAGE OF ALL PUBLIC UTILITY
DRIVERS IN THE NATIONAL HEALTH INSURANCE PROGRAM (NHIP)
UNDER THE PHILIPPINE HEALTH INSURANCE CORPORATION
(PHILHEALTH)

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

SECTION 1. Short Title. - This Act shall be known as the "***National Health Insurance Coverage for Public Utility Drivers Act of 2010.***"

SEC. 2. Declaration of Policy. - It is policy of the State to 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. Priority for the needs of the underprivileged sick, elderly, disabled, women, and children shall be recognized. Likewise, it shall be the policy of the State to provide free medical care to paupers.

As such, the State shall provide for the mandatory coverage of all public utility drivers in the National Health Insurance Program (NHIP) under the Philippine Health Insurance Corporation (PhilHealth).

SEC. 3. Coverage. - All public utility drivers shall be mandatorily covered by the National Health Insurance Program (NHIP) under the Philippine Health Insurance Corporation (PhilHealth) regardless of the remuneration they receive from their operators: *Provided*, That all drivers currently eligible for benefits under the Social Security System (SSS) shall automatically be made members of the NHIP.

SEC. 4. Enrollment of Public Utility Drivers. - All public utility drivers shall enroll in the National Health Insurance Program (NHIP) being implemented by the Philippine Health Insurance Corporation (PhilHealth) in order for them to be placed

under coverage that entitles them to avail of the benefits and the financial assistance provided for by the Philippine Health Insurance Corporation (PhilHealth): *Provided*, That the beneficiaries under this Act shall be issued appropriate documentation specifying eligibility to benefits and indicating how benefit was obtained or is being maintained.

SEC. 5. Contributions. - The public utility operators are hereby mandated to pay equivalent to the amount of the monthly contributions paid for by the employer for persons to be enrolled in the National Health Insurance Program (NHIP) being implemented by the Philippine Health Insurance Corporation (PhilHealth): *Provided*, That the remaining amount of monthly contributions shall be shouldered by the driver, consistent with existing policies and guidelines set forth by PhilHealth.

SEC. 6. Penalties for Violation. - Failure of the operator to remit to PhilHealth the corresponding contribution shall not be a ground for depriving the beneficiaries under this law. Such failure shall, however, subject the erring or negligent operator to the penalties provided by law, without prejudice to the right of PhilHealth to collect full reimbursement for honoring a properly filed claim.

SEC. 7. Implementing Rules and Regulations (IRR). - 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.

SEC. 8. 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..

SEC. 9. Repealing Clause. - All laws, presidential decrees, executive orders, rules and regulations or parts thereof which are deemed inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 10. 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.

Approved,