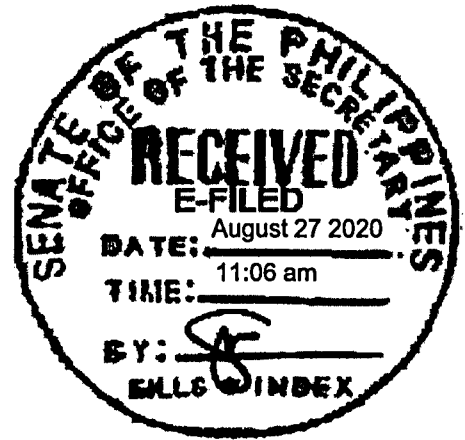


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )

SENATE  
S.B. No. 1797



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Introduced by **Senator Richard J. Gordon**

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**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**

This bill is a product of the various hearings and investigation of the Senate Committee on Accountability of Public Officers and Investigations or the Blue Ribbon Committee in aid of legislation on the alleged malfeasance, misfeasance and non-feasance arising out of the Philippine Health Insurance Corporation (PhilHealth) payments for fraudulent claims.

The investigation unearthed controversies, such as the WellMed anomaly, wherein some patients who availed of dialysis procedures are reportedly dead at the time of the avallment of the procedure. Identity theft or the use of someone else's identity or name to obtain financial advantage or benefits is not unique in the Philippines, nor is it limited to Philhealth. Identity theft can also be used to perpetrate electoral fraud or to unlawfully avail of social benefits provided by the government through its agencies, such as, Social Security System (SSS), Government Service Insurance System (GSIS), Home Development Mutual Fund (HDMF) and the Philippine Veterans Affairs Office (PVAO).

The bill seeks to create a centralized source of information to verify the death of any person in the Philippines to detect fraud and act quickly to help reduce

fraudulent events. This centralized information system shall consist of (1) an electronic database will be called the Philippine Death Check (PDC) Register and (2) 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 thereon shall be uploaded to the PDC Register. After which, death verification request may be processed by PSA through the death verification system. The PDC Register and the ODV System will help protect anyone, especially the government, against identity fraud.

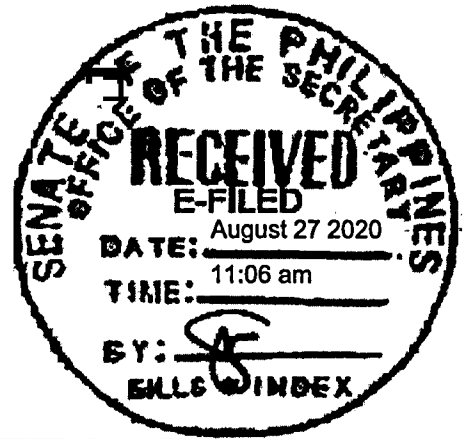
Recognizing susceptibility of identity fraud in health care, insurance and social benefit systems, as well as in our electoral processes, the Online Death Verification System that will be developed and utilized shall be readily accessible to Philhealth, SSS, GSIS, HDMF and the Commission on Elections.

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



**RICHARD J. GORDON**

EIGHTEENTH CONGRESS OF THE )  
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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**

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

1       **SECTION 1. Short title.** – This Act shall be known as the “PSA Online  
2 Death Verification System Act”.

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

1           **SEC. 3. *Definition of Terms.* – As used in this Act:**

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

23           **Sec. 4. *Philippine Death Check Register.* –** There shall be established a  
24           Philippine Death Check (PDC) Register to be maintained by the Philippine  
25           Statistics Authority (PSA). The PDC is a centralized and electronic database  
26           containing mortality data registered with the Local Civil Registrar. PSA shall  
27           ensure the security and integrity of the PDC by safeguarding these from data  
28           breach and any other mode of tampering data to perpetrate fraud;

29           Once death is registered with the Local Civil Registry, the information shall  
30           be immediately uploaded to the Philippine Death Check Registrar Electronic  
31           System.

32           The PSA, in coordination with the Department of Information and  
33           Communication Technology (DICT) and the National Privacy Commission (NPC)

1 shall implement such programs to facilitate Immediate access by PSA to mortality  
2 data registered with the Local Civil Registrars.

3 **SEC. 5. *Online Death Verification System.*** – The PSA shall establish an  
4 Online Death Verification System, which shall be a centralized and online system  
5 for death verification that shall ensure timely detection and prevention of  
6 identity theft of deceased persons.

7 The PSA, through the Online Death Verification System shall verify the  
8 death of the data subject upon receipt of Information necessary to verify the  
9 identity of the data subject, as may be required in the Implementing Rules and  
10 Regulations, and shall immediately notify COMELEC, PHIC, GSIS, SSS, HDMF,  
11 PVAO of the death verification result.

12 Except for COMELEC, PHIC, SSS, GSIS, HDMF, and PVAO, an Information  
13 Sharing Agreement between PSA and other Government Instrumentalities or  
14 Government Agencies shall be required prior to being granted access to the  
15 Online Death Verification System.

16 **SEC. 6. *Information Sharing.*** – The PSA shall immediately make available  
17 to the COMELEC Philhealth, GSIS, SSS, HDMF, and PVAO, without cost, such  
18 other data in the PDC Registrar as may be necessary for the validation of any  
19 member or beneficiary claim made with said agencies.

20 **SEC. 7. *Data Privacy and Confidentiality*** – Government instrumentalities  
21 and agencies granted access under Section 5 of this Act shall ensure at all times  
22 the confidentiality of any personal information that comes to its knowledge and  
23 possession, and the same shall be used solely for verification and authentication  
24 purposes.

25 **SEC. 8. *Death Reporting and Registration.*** – To ensure an up-to-date death  
26 information system, Section 6 of Act No. 3753 or otherwise known as the Law  
27 on Registry of Civil Status is hereby amended as follows:

28 SECTION 6. *Death certificate and register.* – No human body shall  
29 be buried unless the proper death certificate has been presented and  
30 recorded in the office of the local civil registrar. The following  
31 physician who attended the deceased or, in his default the health  
32 officer concerned, or in default of the latter, any member of the  
33 family of the deceased or any person having knowledge of the death,  
34 shall report the same to the local health authorities, who shall issue a  
35 death certificate and shall order the same to be recorded in the office  
36 of the local civil registrar **(LCR) WITHIN 48 HOURS FROM THE**  
37 **DEATH OF THE DECEDENT.** The death certificate, which shall be

1 issued by the attending physician of the deceased or, in his default,  
2 by the proper health officer, shall contain the following Mortality Data  
3 be furnished by the person reporting the death; (a) date and place of  
4 death; (b) full name, (c) age, (d) sex, (e) occupation or profession,  
5 (f) residence; (g) status as regards marriage, (h) nationality of the  
6 deceased, and (i) probable cause of death.

7 During epidemics, bodies may be buried provided the proper death  
8 certificates have been secured, which shall be registered not later  
9 than five days after the burial of the body.

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

13 **SEC. 9. *Implementing Rules and Regulation*** – The Philippine Statistics  
14 Authority shall issue rules and regulations to implement the provisions of this Act  
15 within one hundred twenty (120) days from the effectivity of this Act,

16 **SEC. 10. *Appropriation***. – The amount necessary to carry out the initial  
17 implementation of this Act shall be sourced from any available funds of the  
18 National Treasurer, and is hereby appropriated and authorized to be released for  
19 its initial operations.

20 **SEC. 11. *Separability Clause***. – If any provision of this Act is declared  
21 unconstitutional, such sections or parts not affected thereby shall remain in full  
22 force and effect.

23 **SEC. 12. *Repealing Clause***. – All other laws, decrees, executive orders,  
24 proclamations and administrative regulations or parts thereof inconsistent  
25 herewith are hereby repealed or modified accordingly.

26 **SEC. 13. *Effectivity Clause***. – This Act shall take effect fifteen (15) days  
27 after its publication in the Official Gazette or in at least two (2) national  
28 newspaper of general circulation.

*Approved,*