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**SENATE**  
**P.S. Res. No. 737**

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Introduced by SENATOR SONNY ANGARA

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**RESOLUTION**

**URGING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY IN AID OF LEGISLATION ON THE COMMISSION ON AUDIT (COA) FINDINGS ON THE FAILURE OF CERTAIN HEALTHCARE INSTITUTIONS TO PROVIDE SENIOR CITIZEN DISCOUNTS WITH THE END IN VIEW OF DETERMINING POSSIBLE INTERVENTIONS TO ENSURE THE PROPER IMPLEMENTATION OF FULL BENEFITS AND TO CURB OVERPAYMENT OF BENEFIT CLAIMS BY THE PHILIPPINE HEALTH INSURANCE CORPORATION (PHILHEALTH)**

1 WHEREAS, Republic Act No. 9994 or the "Expanded Senior Citizens Act of  
2 2010," which amended Republic Act No. 7432 authored by this representation's father,  
3 the late former Senate President Edgardo Angara, further strengthened the welfare of  
4 the country's elderly in recognition of their contributions to society by providing -  
5 among other benefits - a twenty percent (20%) discount and exemption from the  
6 value added tax (VAT) on various health services - including the purchase of medicine  
7 and vaccines, professional fees of attending physicians, and medical and dental  
8 services;

9 WHEREAS, in accordance with the benefits stated under the law, both the  
10 Department of Health (DOH) and the Philippine Health Insurance Corporation  
11 (PhilHealth) issued relevant guidelines for the implementation of said twenty percent  
12 (20%) discount which shall be enjoyed by senior citizens in non-subsidized services in  
13 both the co-paying section of public healthcare facilities and private healthcare  
14 facilities;

15 WHEREAS, in the Commission on Audit's (COA) report on the 2022 financial  
16 transactions of PhilHealth, it was observed that the "discrepancies in the computation,

1 deduction, and charging of mandatory Senior Citizen (SCn) discounts from the actual  
2 hospital charges, including professional fees for SCn member-patients resulted in  
3 overpayments in the total amount of P535.626 million.” Of that amount, PhilHealth  
4 benefit claims amounted P113.100 million while the remaining P422.526 million were  
5 paid by the senior citizens themselves or through government agencies and local  
6 government units providing medical assistance;

7 WHEREAS, according to COA, this was observed in 196,695 cases particularly  
8 in the PhilHealth Regional Offices (PRO) in NCR and Rizal, Region IV-B, V, VI, VII, IX,  
9 and XI as the country’s national health insurer shouldered over P100 million in charges  
10 - including professional fees - which were supposed to have been deducted in  
11 accordance with the Expanded Senior Citizens Act of 2010;

12 WHEREAS, based on the data from the same COA report, PRO NCR and Rizal  
13 had the greatest number of cases with overpayment relating to senior citizens at  
14 106,630 as well as the highest amount of excess in co-payment by senior citizen  
15 members or medical assistance by the government at P300.798M; while Region VII  
16 had the highest number of excesses of benefit claims paid by PhilHealth at P86.890  
17 million;

18 WHEREAS, after interviews with personnel from the concerned PROs, COA  
19 assessed that some offices were reliant on the information provided by healthcare  
20 facilities; hence, there was no proper validation on the veracity of any discounts  
21 deducted for healthcare services due to their lack of direct authority in ensuring that  
22 the benefits for our elderly are implemented as provided under the law and other  
23 relevant guidelines;

24 WHEREAS, while this could possibly be a mere oversight on the part of  
25 concerned healthcare facilities and not a deliberate act to circumvent the law and take  
26 advantage of our sick and vulnerable elderly, this mistake has nonetheless caused  
27 undue financial burden not only on the country’s limited fiscal resources but also those  
28 senior citizens who had to shoulder charges which should have already been deducted  
29 from their total billing;

30 WHEREAS, it is also important to note that Republic Act No. 9994 provides  
31 penalties for violations of the law from imprisonment of two (2) to six (6) years and a  
32 fine ranging from P50,000.00 to P100,000.00 for the first violation to P100,000 to

1 P200,000 and the same imprisonment term for subsequent violations; on the other  
2 hand, individuals who abuse the privileges of the law would face imprisonment of not  
3 less than six (6) months and a fine of P50,000.00 to P100,000.00;

4 WHEREAS, while COA noted that PhilHealth’s management has already pledged  
5 to direct all its PROs to adhere to and monitor the application of senior citizen discount  
6 in healthcare services, it may be timely to evaluate the implementation of the law -  
7 particularly on the mechanism of monitoring the implementation of all benefits  
8 afforded to the elderly and any possible loopholes that may have arisen over time  
9 especially since Republic Act No. 9994 has been enacted for over a decade;

10 WHEREAS, the inquiry could also assess the effectiveness of the National  
11 Coordinating and Monitoring Board established under the law particularly its capacity  
12 to “develop an effective monitoring and reporting system towards an efficient,  
13 consistent and uniform implementation of the law” as stated in the law’s Implementing  
14 Rules and Regulations (IRR). Moreover, the same inquiry could likewise look into  
15 strengthening the Office for Senior Citizens Affairs (OSCA) in cities and municipalities  
16 specifically in its ability in providing assistance to the elderly in filing complaints and  
17 charges against any individual or establishments refusing to comply with the benefits  
18 under the Expanded Senior Citizens Act of 2010;

19 NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED by the  
20 Senate of the Philippines, to urge the appropriate Senate committee to conduct an  
21 inquiry, in aid of legislation, on the Commission on Audit (COA) findings on the failure  
22 of certain healthcare institutions to provide senior citizen discounts with the end in  
23 view of determining possible interventions to ensure the implementation of full  
24 benefits and curb overpayment of benefit claims by the Philippine Health Insurance  
25 Corporation (PhilHealth).

Adopted,



**SONNY ANGARA**