ORDINANCE NO. 93-31

AN ORDINANCE ESTABLISHING THE MUNITNLUPA HEALTH CARE COMMISSION, DEFINING ITS POWERS AND FUNCTIONS AND APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.

WHEREAS, Article XIII, Section 11 of the Philippine Constitution declares in part "The State shall 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...." and the Municipal Government of Muntinlupa, being an instrument of the State, adheres and adopts this policy to protect the general welfare of the people;

WHEREAS, Section 444 of the Local Government Code grants the Municipal Mayor the power to authorize payment of medical care, hospital or medical fees of municipal officials and employees who are injured while in the performance of their official duties and functions;

WHEREAS, The Municipal Credo of the Municipal Government of Muntinlupa states in part that, "We believe that our prime resource is people and in order to attain our goals and vision for Muntinlupa, we must protect the welfare of the municipal officials and employees";

WHEREAS, the good health and well-being of this prime resource is a priority concern and firm commitment of the Municipal Government of Muntinlupa, adequate health care being a basic human need;

WHEREAS, it is the policy of the Municipal Government of Muntinlupa to provide hospitalization and death benefits to its officials and employees and their direct legitimate dependents by adopting and implementing a comprehensive health care program;

WHEREAS, because of the ever increasing cost of medical care, funeral and burial expenses due to inflation the present Medical Care Program of the National Government is not sufficient to satisfy the needs of its members and beneficiaries;

WHEREAS, in order to give the municipal officials and employees a productive and an improved quality of life, it is necessary to augment the Medical Care Program of the National Government;
THEREFORE, the Municipal Government of Muntinlupa by virtue of the powers granted to it by law, do hereby order and decree:

SECTION 1. Purpose and Objectives. The main purpose and objectives of this ordinance are:

a. To provide assistance for hospitalization and other medical care expenses, funeral and burial expenses to the officials and employees of the Municipal Government of Muntinlupa and their direct legitimate dependents in a revolutionary way, within our economic means and capability as a local government unit.

b. To provide said municipal officials and employees with a viable means of helping themselves pay for adequate medical care.

SECTION 2. Definition of Terms. For the purpose of this ordinance the following terms shall have the meaning herein provided:


b. Employee - Any person who is an official or employee of the Municipal Government of Muntinlupa whether by election or appointment, whether permanent, casual or contractual.

c. Beneficiary - Any person entitled to health care benefits under this ordinance.


e. Health Care Benefits - Services relative to illness or injury which require hospitalization subject to reasonable limitations as will be imposed by the technical organization and finances of the Muntinlupa Health Care Commission. The term "Health Care Benefits" as used in this ordinance shall include funeral and burial benefits.
f. Medical Attendance - Medical Care of a patient by a physician or medical staff of a hospital.

g. Program - Muntinlupa Municipal Health Care Program.

h. Committee - Hearing Committee

1. Dependent - The legitimate spouse, legitimate minor child who is not more than eighteen years old and unmarried at the time of injury or illness, or legitimate parent of an employee or official of the Municipal Government of Muntinlupa.

SECTION 3. Muntinlupa Health Care Commission. To carry out the purposes of this ordinance the Muntinlupa Health Care Commission is hereby created which shall be composed of the Municipal Mayor as Chairman; the Vice-Mayor as Vice-Chairman; two (2) representatives of the Sangguniang Bayan; the Municipal Personnel Officer; the Municipal Health Officer; the Municipal Treasurer; the Municipal Attorney; the Municipal Administrator; and a representative of the Muntinlupa Medical Society, and a representative of the rank and file employees of the Municipal Government of Muntinlupa as members.

The members may designate their representatives who shall exercise the plenary powers of their principals as well as enjoy the same benefits available to the latter.

SECTION 4. Functions of the Commission. The Commission shall have the following functions and powers:

a. To formulate policies, administer and implement the Muntinlupa Health Care Program.

b. To ensure that medical care is provided to members covered by the Muntinlupa Health Care Program.
c. To organize its officers, appoint its Secretary and such other personnel as may be deemed necessary, subject to pertinent civil service laws, rules and regulations and fix their allowances, subject to pertinent budget and compensation laws, rules and regulations.

d. To promulgate or prescribed rules and regulations as may be necessary to carry out the provisions and purposes of this ordinance.

e. To enter into agreements or contracts in the manner and under such terms and conditions as the Commission may deem proper for the efficient and effective administration of the Commission and the implementation of the Muntinlupa Health Care Program.

f. To adopt control measures to prevent abuses of the Muntinlupa Health Care Program.

g. To coordinate with other appropriate government agencies in the development of the health care delivery system.

h. To approve rules and regulations to ensure uniform evaluation of claims for benefits under the Muntinlupa Health Care program.

i. To exercise all other powers necessary to attain the purposes and objectives of this Ordinance.

SECTION 5. Meetings and Hearing of the Commission. The meetings and hearings of the Commission shall be held as often as necessary at the discretion of the Chairman or at the request of the majority of the members of the Commission. The presence of six (6) members of the Commission shall constitute a quorum. The members of the Commission shall receive a per diem for every meeting and hearing attended subject to pertinent budget laws, rules and regulations on compensation, honoraria and allowances.
SECTION 6. Chairman and Vice-Chairman of the Commission.

a. The Chairman shall preside over the meeting of the Commission and shall implement its decisions. He shall exercise supervision and control over all operations of the Commission. The Chairman shall have the power to grant benefits under this program in meritorious cases to persons employed by the national government but assigned in the Municipality of Muntinlupa, with the approval of the Commission. The benefits that may be granted to such national government employees shall not exceed the amount of benefits that may be granted to employees, as defined in this ordinance. The Chairman shall also have the power to grant health benefits to other persons in meritorious cases, with the same limitations and in accordance with the rules and regulations that may be promulgated by the Commission.

b. When the Chairman is temporarily unable to perform his functions or in case of vacancy in the Office of the Chairman, the Vice-Chairman shall serve as Acting Chairman. He shall perform such other functions as may be assigned to him by the Chairman.

SECTION 7. Executive Director of the Commission.
The Commission shall have an Executive Director who shall be responsible for the general conduct of the operations and administration of the Commission. The Executive Director shall have exclusive original jurisdiction on all claims for benefits under this program. In the exercise of this jurisdiction the Executive Director shall appoint as many hearing officers as may be deemed necessary with the approval of the Commission. His decision shall beappealable to the Commission within fifteen (15) days from receipt thereof.

SECTION 8. The Muntinlupa Health Care Program.
The Muntinlupa Health Care Program shall consist of the following benefits:
a. Hospitalization
   i) Maximum of up to P50,000.00 if an official or employee is hospitalized.
   ii) Maximum of up to P25,000.00 if the legitimate spouse is hospitalized.
   iii) Maximum of P12,500.00 if other dependents are hospitalized.

b. Death Benefits
   i) Funeral and Burial Expenses up to a maximum of P15,000.00 if the deceased is an official or an employee.
   ii) Funeral and Burial Expenses up to a maximum of P7,500.00 if the deceased is a dependent of an official or an employee.

c. Annual Executive Check-up
   i) All expenses for the annual executive check-up for all Elected Officials and Heads of the various departments of the Municipal Government of Muntinlupa.

   d. In case the benefits granted under this program is not sufficient to satisfy the needs of the beneficiary, the Commission may grant a loan in excess of the maximum limit allowed in this ordinance, in accordance with the rules and regulations that may be promulgated by the Commission. In such a case, the loan shall not bear interest and payment shall be made in the form of salary deduction.

e. A beneficiary who does not avail of the benefits under this program within one (1) year from the time of the effectivity of
this ordinance and every year thereafter shall be entitled to an incentive bonus in an amount that will be determined by the Commission.

SECTION 9. Accredited Hospitals or Clinics. Any beneficiary who becomes sick or sustains an injury, the nature of which will require hospitalization shall be confined in a hospital or clinic duly accredited by the Commission. For this purpose, the Commission shall promulgate the rules on accreditation.

SECTION 10. Entitlement to Health Care Benefits. A Municipal official or employee shall be entitled to the benefits under this ordinance from the time his employment commences. Employment is deemed commenced upon approval of employment by the appropriate authority.

SECTION 11. Payment of Health Care Benefits. Payment for health care benefits shall be made directly to the hospital or clinic after proper documentation in accordance with the rules, regulations and conditions which the Commission may set. In case of death benefits the payment for health benefits will be made directly to the beneficiary.

The benefits under this program are in addition to any other medical care benefit that the beneficiary may receive under the law. Provided, that the beneficiary must prove by proper documentation in accordance with the rules and regulations that the Commission may promulgate that the benefits under any other medical care program are not sufficient to cover the actual expenses incurred.

SECTION 12. Limitation to Payment of Benefits. Claims for payment of services rendered under this ordinance which are filed beyond thirty (30) days after the discharge of the patient from the hospital or from the time a patient has been declared well shall be barred from payment.
Payment for services rendered may be reduced or denied when the claimant:

a. Furnishes false or incorrect information concerning any matter required by this ordinance or the rules and regulations promulgated by the Commission.

b. Fails without good cause or legal grounds to comply with any provision of this ordinance or the implementing rules and regulations of the Commission.

SECTION 13. Participants in the Delivery of Health Care Services. Only the following may be accredited for the delivery of health care services in the Muntinlupa Health Care Program under such rules and regulations as the Commission may set:

a. Hospitals within the Jurisdiction of the Municipality of Muntinlupa.

b. Medical practitioners within the territorial Jurisdiction of the Municipality of Muntinlupa.

c. Hospitals located outside the jurisdiction of the Municipality of Muntinlupa which provide medical services that are not provided by Hospitals within the jurisdiction of Muntinlupa, except in emergency cases occurring outside the territorial jurisdiction of the Municipality of Muntinlupa in this case, the Commission shall, make a determination and issue a decision depending on the circumstances of the case.

All accredited hospitals within the territorial jurisdiction of the Municipality of Muntinlupa are required to accept for medical treatment the beneficiaries of the Muntinlupa Health Care Program without requiring deposits, specially in emergency cases, unless it does not have adequate facilities to provide proper treatment.
For this purpose all beneficiaries of this program will be provided with an identification card and listed in all accredited hospitals within the jurisdiction of the Municipality of Muntinlupa. Within fifteen (15) days from the date this ordinance takes effect, all municipal officials and employees shall file an application with the Commission listing the names of their dependents, including the appropriate supporting documents in accordance with the rules and regulations that the Commission may promulgate.

SECTION 14. Exclusion. The benefits granted under the Muntinlupa Health Care Program shall not cover any expenses for:

a. Cosmetic surgery or treatment;
b. Optometric service;
c. Dental check-up and other related dental treatment; and
d. Psychiatric illness;
e. Normal Obstetrical Delivery in excess of 3 deliveries.

SECTION 15. Record and Reports. The Commission shall keep records of all operations relative to the Program. It shall undertake a continuing monitoring study and research to improve the Program.

SECTION 16. Hearing Procedure. There is hereby created a Hearing Committee composed of three (3) members who shall be designated by the Commission for the purpose of conducting inquiries and investigations into reported violations of this law or its implementing rules and regulations except those cases falling under the exclusive original jurisdiction of the Executive Director. The Committee shall not be bound by the technical rules of evidence.
SECTION 17. Penal Provisions. Any person who, for the purpose of securing entitlement to any benefit or payment under this ordinance or the issuance of any certificate or document for any purpose connected with this health care program whether for himself or for some other person shall commit fraud, collusion, falsification, misrepresentation or any similar anomaly shall suffer the penalty of imprisonment for a period not exceeding six (6) months or a fine not exceeding P2,500.00 or both at the discretion of the court. This is without prejudice to any other administrative penalty that may be imposed.

Criminal actions arising from violation of the provisions of this ordinance may be commenced by the Commission.

SECTION 18. Appropriation. Funds as may be necessary to finance the operation, programs, and projects of the Commission in carrying out this ordinance are hereby authorized to be included in the Annual Appropriation of the Municipal Government of Muntinlupa.

An initial appropriation in the amount of TWO MILLION PESOS is hereby set aside. Thereafter, an annual appropriation amounting to THREE MILLION PESOS shall be set aside in the Annual Appropriation Budget.

SECTION 19. Health Care Trust Fund. The Municipal Treasurer shall deliver the initial amount and the amount appropriated annually to the Commission after the effectivity of this ordinance. The amount appropriated shall form a trust fund to be administered by the Commission.

SECTION 20. Separability Clause. In the event any provision of this ordinance or the application of such provision to any person or circumstances is declared invalid, the remainder of the ordinance or the application of said provision to other persons or circumstances shall not be affected by such declaration.
SECTION 21. Repealing Clause. All ordinance inconsistent with the provisions of this ordinance are hereby declared repealed or modified accordingly.

SECTION 22. This ordinance shall take effect fifteen days (15) after publication.

Signed by the members of the Sangguniang Bayan of Muntinlupa, on their 50th regular session held this 2nd day of August, 1993 at the Session Hall of People’s Center, Muntinlupa, Metro Manila.

ATTY. JAIME R. FRESNEDI
Vice-Mayor/Presiding officer

HON. ROGER C. SMITH
Councilor

HON. ROMAN E. NIEVES
Councilor

HON. ARTURO S. BUNYI
Councilor

HON. MELCHOR R. TEVES
Councilor

HON. NOLASCO L. DIAZ
Councilor

HON. HERNANDO B. JAQUIN
Councilor

HON. DANTE S. ALMARIO
Councilor

HON. LUCIO B. CONSTANTINO
Councilor

HON. REY O. BULAY
Councilor

HON. ALEJANDRO L. MARTINEZ
Councilor
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HON. ERNESTO A. CARUBIO
Councilor

HON. REYNALDO A. ABAS, JR.
Councilor

HON. VICENTE Y. CHUA
Representative
President, A.B.C.

HON. MIGUEL LUIS F. RIOS, JR.
Representative
Pres., Pambayang Pederasyon
ng Sangguniang Kabataan

APPROVED BY:

ATTY. IGNACIO R. BUNYE
Mayor

ATTESTED BY:

PETER B. SALONGA
Municipal Secretary