

Republic of the Philippines
Ministry of Public Works
OFFICE OF THE MINISTER
M a n i l a

8 January 1980

MINISTRY ORDER)

No. 80-5

X - - - - - X

SUBJECT: Creation of Committee on
Physical Examination in
the Ministry of Public
Works.

In compliance with Unnumbered Memorandum Circular of the Office of the President, dated July 10, 1956, as amended by Memorandum Circular No. 44 dated September 25, 1963, a Committee on Physical Examination of this Ministry is hereby established, composed of the following:

Dra. ROSAIDA M. REYES - - - - - Chairperson

Dra. LETICIA C. VICENTE - - - - - Member

Atty. PRUDENCIO COBANGBANG - - - Member

Ms. ARCELINA R. PALOMAR - - - - - Secretary

with the primary function of determining the service connection of the causative sickness or injury in any claim for benefits filed under Section 699 of the Revised Administrative Code, as amended by Republic Act No. 1232.

This order shall take effect immediately.


ALFREDO L. JUNIO
Minister

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1/24/80

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES

MEMORANDUM CIRCULAR NO. 44

AMENDING PARAGRAPHS NUMBERED THREE AND NINE OF THE UNNUMBERED MEMORANDUM CIRCULAR OF THIS OFFICE DATED JULY 10, 1956, ESTABLISHING THE POLICY GOVERNING CLAIMS FOR BENEFITS UNDER SECTION 699 OF THE REVISED ADMINISTRATIVE CODE AS AMENDED BY REPUBLIC ACT NO. 1232.

The first portion of paragraph No. 3 of the aforementioned Memorandum Circular of this Office dated July 10, 1956, is hereby amended to read as follows:

"3. Subject to the approval of the proper Department Head, the determination of service connection of the causative sickness or injury shall in each case be made by the Committee on Physical Examination of the Department concerned. For this purpose, each Department shall establish a Committee on Physical Examination, composed of at least three members who may be drawn from the bureaus and offices under it, which shall be provided with adequate medical staff and facilities. The Committee shall consider the following."

Accordingly, paragraph No. 9 of the same Memorandum Circular is hereby amended to read as follows:

"9. The Head of each Department shall advise the President from time to time upon the recommendation of the Committee on Physical Examination therein, regarding the implementation of this policy."

By authority of the President:

(SGD) RUFINO G. HECHANOVA
Executive Secretary

Manila, September 25, 1963

10

A true copy.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES

MEMORANDUM CIRCULAR NO. 52

FURTHER AMENDING PARAGRAPH NUMBERED THREE OF THE UNNUMBERED MEMORANDUM CIRCULAR OF THIS OFFICE DATED JULY, 10, 1956, ESTABLISHING THE POLICY GOVERNING CLAIMS FOR BENEFITS UNDER SECTION 699 OF THE REVISED ADMINISTRATIVE CODE AS AMENDED BY REPUBLIC ACT. NO. 1232.

The first portion of paragraph No. 3 of the aforementioned Memorandum Circular of this Office dated July 10, 1956, as amended by Memorandum Circular No. 44 of this Office dated September 25, 1963, is hereby further amended to read as follows:

"3. Subject to the approval of the proper Department Head, the determination of service connection of the causative sickness or injury shall in each case be made by the Committee on Physical Examination of the Department concerned. For this purpose, each Department shall establish a Committee on Physical Examination, composed of at least three members who may be drawn from the bureaus and offices under it, which shall be provided with adequate medical staff and facilities. However, pending the creation of this Committee in the Departments, the claims for benefits of employees in said offices shall continue to be referred, for evaluation, to the Committee on Physical Examination of the Department of Health. The Committee shall consider the following:"

By authority of the President:

(SGD) SALVADOR L. MARINO
Acting Executive Secretary

Manila, December 19, 1963

A true copy.

AN ACT AUTHORIZING THE PAYMENT OF COMPENSATION EQUIVALENT TO THE SALARY OF SIX MONTHS OF ANY EMPLOYEE IN THE SERVICE OF THE NATIONAL GOVERNMENT OR IN THE SERVICE OF THE GOVERNMENT OF A PROVINCE, CITY, MUNICIPALITY OR MUNICIPAL DISTRICT WHO IS KILLED OR DIES OR INJURIES RECEIVED OR SICKNESS CONTRACTED IN LINE OF DUTY, AMENDING FOR THE PURPOSE SECTION SIX HUNDRED NINETY-NINE OF THE ADMINISTRATIVE CODE, AS AMENDED.

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

SECTION 1. Section six hundred ninety-nine of the Administrative Code, as amended, is further amended to read as follows:

"Sec. 699. Allowance in case of injury, death, or sickness incurred in performance of duty.—When a person in the service of the national government or in the service of the government of a province, city, municipality or municipal district is so injured in the performance of duty as thereby to receive some actual physical hurt or wound, the proper Head of Department may direct that absence during any period of disability thereby occasioned shall be on full pay, though not for more than six months, and in such case he may in his discretion also authorize the payment of the medical attendance, necessary transportation, subsistence, and hospital fees of the injured person. Absence in the case contemplated shall be charged first against vacation leave, if any, there be.

"If a person in such service is killed or dies of injuries received or sickness contracted in line of duty, the Department Head shall authorize the payment of reasonable burial expenses and of six month's salary or wages in no case less than one thousand pesos to the surviving spouse or dependent child or children of such deceased person.

"In case of sickness caused by or connected directly with the performance of some act in the line of duty, the Department Head may in his discretion authorize the payment of the necessary hospital fees.

"For employees of a city the time allowance and disbursements contemplated above shall not be granted except upon recommendation of the Municipal Board or council of the city; in the case of employees of a provincial government, and in the case of employees of a municipal or municipal district government, upon the recommendation of the municipal council or municipal district mayor, as the case may be."

Sec. 2. This Act shall take effect upon its approval.

Approved, June 7, 1955.

OFFICE OF THE PRESIDENT

MEMORANDUM CIRCULAR

July 10, 1956

POLICY GOVERNING BENEFITS UNDER SECTION 699 OF THE
REVISED ADMINISTRATIVE CODE AS AMENDED BY
REPUBLIC ACT NO. 1232

For All Concerned:

For the guidance of all concerned, the following policy shall hereafter govern the processing and disposition of claims under section 699 of the Revised Administrative Code, as amended.

1. In accordance with the provisions of section 699 of the Revised Administrative Code, as amended, claims for benefits thereunder shall hereafter be submitted to, passed upon, and approved by, the department heads concerned.

2. Any claim for benefit under the provisions of law mentioned above shall be approved only upon satisfactory showing that the death, sickness, or injury as the case may be, occurred or was contracted or sustained in line of duty. There must be presented sufficient evidence to establish the causal relation of the death, sickness, or injury upon which the claims of the employee is based to the discharge of his official duties.

3. The determination of service connection of the causative sickness or injury shall in each case be made by the Committee on Physical Examination, Department of Health, subject to the approval of the proper department head. The Committee shall consider the following: (Amended by Memorandum Circular No. 44 dated September 25, 1963 & Memorandum Circular No. 52 dated December 19, 1963, respectively)

- a. Nature and extent of the sickness or injury incurred or sustained by the officer or employee concerned;
- b. Position held and nature of official duties, including duration of daily duty, regularity, and frequency of exposure to the elements, and other general conditions obtaining during his performance of duty;
- c. Facts and actual circumstances surrounding the acquisition of, or giving rise to, the disease, sickness, or injury; and
- d. Physical condition upon entrance into the service and at the time of separation therefrom, as may be established by reports of physical examinations, clinical records, certificate of discharge, and other official records or reports, if any.

4. Where death or hospitalization occurred after separation from the service, no determination of service connection shall be made unless so warranted by clinical records, reports of physical examination, certificate of discharge, or other official records and reports existing at the time of separation from the service and clearly indicating that the officer or employee was suffering from the causative sickness, disease, or injury while in the government service. Affidavit, certificates, clinical records, medical reports, or other documents of similar nature made after the separation of the employee concerned from the service shall be given weight only insofar as they corroborate facts and statements appearing in official records and reports existing on or before his separation from the service plainly and unmistakably showing the causal relation of the performance of his official duties to the injuries, wounds, or disease producing sickness or death. Claims based solely on such affidavits, certificates, clinical records, medical reports, or other documents of similar nature shall not be entertained.

5. Before final approval, each claim shall further be supported by a definitive finding by the proper Department Head that the sickness, disease, or injury;

a. Was not the proximate result of the officer's or employee's abuse of authority, misconduct, willful failure, gross negligence, intemperate use of drugs or alcoholic liquor, or vicious or immoral acts or habits;

b. Was not incurred or contracted prior to his entry into the service or after his separation therefrom; and

c. Was not incurred or contracted during his absence without authority from his assigned place of duty;

6. Payment of an approved claim, whether it be for death benefits or for payment of medical attendance, necessary transportation, subsistence and hospital fees, shall be subject to availability of funds and the usual accounting and auditing requirements.

8. Where a claim is disapproved, the decision, which shall be in writing addressed to the claimant through channels in proper cases, shall clearly state the facts upon which the decision is based, and the reasons for the disapproval. From this adverse decision, the claimant may within a reasonable time from the receipt thereof, file a written appeal to the President, stating the grounds for such appeal.

9. The Secretary of Health shall advise the President from time to time upon the recommendation of the Committee on Physical Examination (amended) regarding implementation of this policy.

By authority of the President:

(SGD.) FORTUNATO DE LEON
Executive Secretary