



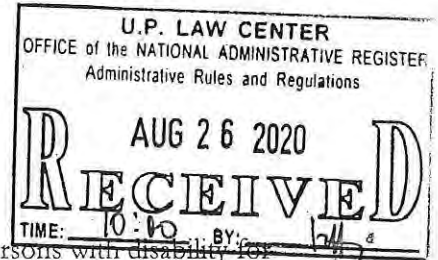
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Para sa Lahat

**IMPLEMENTING RULES AND REGULATIONS
OF REPUBLIC ACT NO. 11228, OTHERWISE KNOWN AS "AN ACT PROVIDING
FOR THE MANDATORY PHILHEALTH COVERAGE FOR ALL PERSONS WITH
DISABILITY, AMENDING FOR THE PURPOSE, REPUBLIC ACT NO. 7277,
OTHERWISE KNOWN AS THE MAGNA CARTA FOR PERSONS WITH
DISABILITY"**

SECTION 1. Declaration of Principles, Policy and Objectives



It is a declared policy of Republic Act No. 7277 to give full support to persons with disability for the improvement of their total well-being and their integration into the mainstream of society. Fundamental to this is the protection and promotion of their right to health and medical care.

R.A. No. 11228 is fostering integrated, comprehensive and rights-based approaches in addressing the health needs of persons with disability. The development of exclusive health benefits and packages for persons with disability shall ensure that essential health services that are suitable to their needs shall always be available and accessible to them without discrimination and distinction as to age, gender and ethnicity. While it is recognized that they have the same right to health as other people, persons with disability need exclusive health benefits to offset additional costs brought about by their disability, over and above the privileges granted by the Universal Health Care (UHC) Act.

The Act also aims to reach out to as many persons with disability in the rural areas, thus the State shall ensure that rehabilitation and all other exclusive health benefits will be expanded beyond the traditional urban-based health services, making it accessible even at the community level. It will guarantee provision of program and services in facilities with health care personnel trained to provide early detection and health intervention to reduce the impact of impairment or otherwise help affected individuals attain the highest level of their functional ability. Collaborative government efforts to maximize availment of the privileges and benefits herein set forth by its rightful beneficiaries, in all localities, shall be upheld.



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SECTION 2. Definition of Persons with Disability

As used in these Rules, the term Persons with Disability shall refer to Filipinos who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society in equal basis with others.

SECTION 3. Coverage

All persons with disability, regardless of gender, age and ethnicity, registered in DOH Philippine Registry of Persons with Disability (PRPWD) shall be automatically covered under the National Health Insurance Program (NHIP) of the Philippine Health Insurance Corporation (PhilHealth).

SECTION 4. Registration Process

PhilHealth, in coordination with the Department of Health (DOH), the National Council on Disability Affairs (NCDA), and local government units (LGUs) shall utilize the PRPWD as basis for registration as principal member in the NHIP for Persons with Disability.

The DOH shall ensure the updating of the PRPWD annually for the purpose of budgetary allocations of the required premium of persons with disability in the General Appropriations Act.

SECTION 5. Philippine Registry of Persons with Disability

The DOH shall maintain an updated database of Persons with Disability including their health and development needs through its Philippine Registry of Persons with Disability (PRPWD). Corollary to the effective implementation of this Act, the LGUs, the PhilHealth, the NCDA, and other relevant government agencies, are hereby directed to update their registries of Persons with Disability annually using the PRPWD and submit them to the DOH.

Subject to the safeguards imposed by R.A. No. 10173 or the Data Privacy Act of 2012, the DOH shall enter into data sharing agreement(s) with the PhilHealth and other relevant agencies and



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partners to enable access to PRPWD. The DOH is required to update annually the PRPWD and mirrored in real time to PhilHealth for the purpose of NHIP coverage of the Persons with Disability.

The LGUs responsible in the registration of Persons with Disability and issuance of Persons with Disability ID shall make real-time updating of their data registry for its migration to the PRPWD.

Only Persons with Disability that are registered in the DOH-PRPWD shall be enrolled with PhilHealth as Persons with Disability. For this purpose, the DOH, PhilHealth and NCDA shall, within 60 days from the effectivity of this IRR, enhance the guidelines in the application and registration processes in the issuance of Persons with Disability IDs and updating of the Registry.

Registered persons who are subsequently proven to be non-Persons with Disability shall be removed from the registry without prejudice to the filing of appropriate legal action by the proper authorities.

SECTION 6. Advocacy Campaign for Registration of Persons with Disability

The DSWD, NCDA and LGUs are hereby mandated to conduct nationwide advocacy campaigns to encourage Persons with Disability to register and request for issuance of identification cards in accordance with the NCDA Guidelines.

SECTION 7. Premium Contributions

Premium contributions for all Persons with Disability shall be paid by the national government: Provided, That the premium contributions of Persons with Disability members in the formal economy shall be shared equally by their employers and the national government.



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SECTION 8. Exclusive Packages for Persons with Disability

The PhilHealth shall develop exclusive packages for persons with disability that will address their specific health and development needs, in addition to the existing PhilHealth benefits.

The development or expansion of any PhilHealth benefit shall go through a proper, transparent, and standardized prioritization setting process, such as the health technology assessment (HTA), health impact assessment, or actuarial feasibility study. Pending the issuance of the exclusive packages mandated by this Act, Persons with Disability may avail of the existing and available PhilHealth packages.

For rehabilitation package, the PhilHealth shall accredit non-hospital based service providers that are equipped with proper facilities and compliant with DOH-prescribed standards. The DOH shall develop the standards for additional providers necessary to implement the provisions of this Act.

SECTION 9. Fund Source

The funds necessary for the effective implementation of this Act shall be sourced from the National Health Insurance Fund of PhilHealth earmarked from the proceeds of R. A. No. 10351, otherwise known as 'An Act Restructuring the Excise Tax on Alcohol and Tobacco Products by Amending Sections 141, 142, 143, 144, 145, 8, 131 and 288 of R. A. No. 8424, Otherwise Known as the National Internal Revenue Code of 1997, as Amended by R. A. No. 9334, and for Other Purposes', and in accordance with pertinent laws and regulations.

SECTION 10. Government Agencies Mandated in the Monitoring and Evaluation of Program Implementation

The Department of Health (DOH), in coordination with the Department of Social Welfare and Development (DSWD), the Department of Labor and Employment (DOLE), the National Council on Disability Affairs (NCDA), the local government units (LGUs), other relevant government agencies, non-government organizations and, civil society organizations (CSOs) shall conduct a periodic monitoring and evaluation of the implementation of this Act. The LGUs, the



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NCDA, and other relevant government agencies are directed to submit their data on Person with Disability to the DOH.

The DOH, DSWD, NCDA, LGUs, PhilHealth, and other agencies shall exchange relevant data and information needed in the implementation of this Act. This is without prejudice to the data sharing agreement which shall be executed by the foregoing agencies.

SECTION 11. Penal Provisions

All violations shall be subject to the pertinent provisions of R.A. No. 7277, otherwise known as the Magna Carta for Persons with Disability, as Amended, and R.A. No. 11223, otherwise known as the Universal Health Care Act of 2019 and its Implementing Rules and Regulations, without prejudice to any criminal or civil liability under existing laws.

SECTION 12. Transitory Provisions

The implementation of these Rules shall be subject to the budget allocation in the General Appropriations Act (GAA) for the applicable year.

SECTION 13. Repealing Clause

The provisions of the Implementing Rules and Regulations of R.A. No. 7277, Circulars, Orders and other issuances inconsistent with the provisions of these Rules are hereby considered repealed or amended.

SECTION 14. Separability Clause

In the event any provision of these Rules or the application of such provision to any person or circumstance is declared invalid, the remainder of these Rules or the application of said provisions to other persons or circumstance shall not be affected by such declaration.

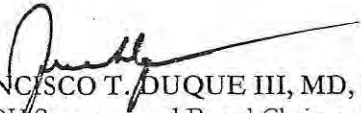


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SECTION 15. Effectivity

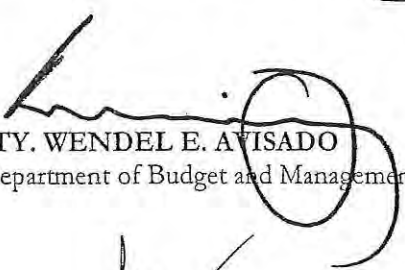
These Implementing Rules and Regulations shall take effect fifteen (15) days after publication in two (2) newspapers of general circulation and shall be filed thereafter with the National Administrative Registry at the University of the Philippines Law Center as required under the Administrative Code of 1987.


Done in Pasig City, this 24th of October 2019.


FRANCISCO T. DUQUE III, MD, MSc.
DOH Secretary and Board Chairperson


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