

[GSIS Resolution No. 107, July 30, 2015]

**APPROVAL OF THE AMENDED RULES OF PROCEDURE OF THE
GSIS COMMITTEE ON CLAIMS**

*Adopted: 30 July 2015
Date Filed: 20 August 2015*

WHEREAS, on 27 November 2014, the Board issued Resolution No. 184 approving the *Rules of Procedure of the Committee on Claims (CoC)*;

WHEREAS, the CoC's Rules of Procedure was revisited in order to include in its jurisdiction the evaluation and resolution of other issues, except non-life insurance related transactions, which affect the settlement of a member's social insurance claim;

WHEREAS, this also necessitated the inclusion and amendment of other provisions of the CoC Rules of Procedure;

RESOLVED, to **APPROVE** and **CONFIRM** the amended *Rules of Procedure of the Committee on Claims*, as proposed by the CoC Chairperson in his Memorandum dated 21 July 2015.

RESOLVED FURTHER, that Board Resolution No. 184 dated 27 November 2014 is hereby **SUPERSEDED** and that Rule V, Section 26 of the Revised Implementing Rules and Regulations of R.A. No. 8291 is hereby **AMENDED**.

RESOLVED FINALLY, that the amended Rules of Procedure of the CoC shall take effect fifteen (15) days after publication in a newspaper of general circulation.

A copy of the amended Rules of Procedure of the CoC is made an integral part of this Resolution.

Certified Correct:

(SGD) ATTY. MARIA THERESA ABESAMIS-RAAGAS
Corporate Secretary

Confirmed:

(SGD) RENATO T. DE GUZMAN
Chairman

(SGD) ROBERT G. VERGARA
Vice-Chairman

(SGD) KARINA CONSTANTINO-DAVID
Trustee

(SGD) GREGORIO T. YU
Trustee

(SGD) ROMAN FELIPE S. REYES
Trustee

(SGD) MARIO J. AGUJA
Trustee

(SGD) ELISEA G. GOZUN
Trustee

(SGD) ROMEO M. ALIP
Trustee

(SGD) GERALDINE MARIE
BERBERABE-MARTINEZ
Trustee

Attachment:

RULES OF PROCEDURE OF THE COMMITTEE ON CLAIMS

Pursuant to the Revised Implementing Rules and Regulations of Republic Act No. 8291 creating a **Committee on Claims** in the Operations Sector, the following rules are hereby adopted and shall be known as the "**Rules of Procedure of the Committee on Claims**", as amended.

RULE I

MEMBERS OF THE COMMITTEE ON CLAIMS

SEC. 1. The members of the Committee on Claims (COC) are the following:

Chairperson: Senior Vice President (SVP), Operations Group

Vice Chairperson: SVP, Operations Group

Members:

SVP, Operations Group

SVP, Other Functional Group, except the Chief Legal Counsel

Department Manager, Technical Services Department

Department Manager, Controller Group

Head of Secretariat:

Any Lawyer or Law graduate from a unit/office/department other than the Legal Services Group

RULE II

DESIGNATION OF COC MEMBERS

SEC. 2. The composition of the COC shall be designated and revised by

the President and General Manager (PGM).

RULE III
DUTIES AND POWERS OF THE CHAIRPERSON

SEC. 3. The duties and responsibilities of the Chairperson are as follows:

- (a) to preside over the meetings of the COC on the days and at the hours designated by it; to call the COC to order and, if there is a quorum, to order the reading of the Minutes of the preceding meeting, and, after the COC shall have acted upon it, to dispose of the matters appearing in the Agenda in accordance with the Rules;
- (b) to decide all points of order;
- (c) to see to it that all Decisions or Resolutions of the COC are complied with;
- (d) to have general control over the meeting; and
- (e) to vote in case of a tie.

SEC. 4. The Vice-Chairperson shall assume the duties and responsibilities of the Chairperson in the absence of the latter.

RULE IV
DUTIES AND RESPONSIBILITIES OF THE MEMBERS

SEC. 5. The duties and responsibilities of the Members are as follows:

- (a) to study and review matters included in the agenda;
- (b) to attend regular and special meetings called by the Chairperson through the Secretariat;
- (c) to deliberate on issues and cases raised before the COC, and ask questions, if necessary;
- (d) to cast their votes on matters for resolution in accordance with Rule X on Voting; and
- (e) to sign the Resolutions or Decisions issued by the COC, and to approve Minutes of the Meeting.

RULE V
DUTIES AND RESPONSIBILITIES OF THE SECRETARIAT HEAD

SEC. 6. The duties and responsibilities of the Secretariat Head are as follows:

- (a) to attend the meetings of the COC;
- (b) to prepare the Agenda and the Minutes of Meetings;
- (c) to keep records of the Minutes and discussions of the COC;
- (d) to prepare and distribute the calendars and notices of meetings;

- (e) to serve as custodian of all the records of the COC;
- (f) to furnish copies of the Decisions or Resolutions to parties concerned;
- (g) to certify all measures, orders, decisions and resolutions approved by the COC and to stamp them with its official seal which shall also be under its custody;
- (h) to recommend to the COC the members of the Secretariat; and
- (i) to perform other duties inherent to the office.

RULE VI
THE SECRETARIAT, ITS DUTIES AND RESPONSIBILITIES

SEC. 7. The Secretariat shall be responsible for the following:

- (a) to receive written communications for the COC and assign reference control numbers to each;
- (b) to formally notify the Vice President (VP) of the Operating Unit Concerned (OUC) and SVP for Financial Management Group (FMG) when the submitted matter shall be deliberated by the COC;
- (c) to provide all members of the COC with electronic files of the Completed Staff Work (CSW) prepared for matters included in the agenda three (3) days prior to the scheduled meeting of the COC;
- (d) to send a certified true copy of the COC Decision or Resolution to the VP of the OUC and SVP-FMG.
- (e) to maintain a database of all received communications, and COC Decision or Resolution;
- (f) to regularly report to the COC all pending matters;
- (g) to provide all Operating Units access to COC Decision or Resolution; and
- (h) to perform other duties inherent to the office.

RULE VII
MATTERS FOR SUBMISSION TO THE COC

SEC. 8. The COC shall evaluate and resolve issues or complaints arising from any dispute in the settlement of claims, such as, but not limited to the following:

- (a) interpretation of an existing policy or procedure;
- (b) no existing program or system to process a claim;
- (c) no existing policy as basis to process a claim;
- (d) appeal from an aggrieved party to a settled claim;
- (e) findings from either the Internal Audit Services Office (IASO) or the Commission on Audit (COA) that are disputable;
- (f) implementation of and Order from any Court, quasi-judicial body or duly authorized entity due to its being in conflict or

- inconsistent with existing GSIS laws, policies, rules and regulations;
- (g) non-life insurance related transactions which affect the settlement of social insurance claim of a member^[1]; and
 - (h) any other matter related to any or all of the foregoing which is necessary for their determination.

SEC. 9. The COC shall elevate matters pertaining to policy formulation or revision and submit a status report on decided claims and issues to the Board of Trustees (BOT) through the PGM.

SEC. 10. The COC shall accept matters for consideration if:

- (a) directly appealed by the claimant or his/her attorney in fact;
or
- (b) referred by the VP of the OUC; or
- (c) referred by the BOT or the Office of the PGM; or
- (d) referred by judicial and quasi-judicial bodies.

RULE VIII **MEETINGS**

SEC. 11. The COC shall hold its regular meeting once a month, preferably on the last Tuesday of each month. The notice, including the agenda, place and time of the meeting shall be given three (3) days before the regular meeting.

Special meetings may be called by the Chairperson, but notice including the agenda, place and time of the meeting, shall be given one day in advance to every member of the COC.

SEC. 12. In case a member cannot attend the meeting, he or she may send his or her representative who should have a position title not lower than the Department Manager (DM) or Branch Manager (BM). The presence of a representative shall not be considered in determining the existence of a quorum. The representative cannot vote on any motion.

RULE IX **QUORUM**

SEC. 13. A majority of the members, including the Chairperson, shall constitute a quorum (i.e., four out of six).

SEC. 14. Should the question of lack of quorum be raised, the Chairperson, without debate, shall immediately proceed to a verification thereof by causing the reading of the roll of the members and announcing forthwith the result.