

[GSIS RESOLUTION NO. 113, July 12, 2012]

POLICY AND PROCEDURAL GUIDELINES (PPG) ON PERMANENT TOTAL DISABILITY CLAIMS UNDER R.A. NO. 8291

WHEREAS, Section 15 of RA. No. 8291 states that a member who suffers permanent disability for reasons not due to his grave misconduct, notorious negligence, habitual intoxication, or willful intention to kill himself/herself or another, shall be entitled to the benefits under Permanent Total Disability (PTD) subject to conditions provided under Section 16;

WHEREAS, pursuant to Section 16 (d) (1) to (4) of RA. No. 8291, certain illnesses or diseases have been identified as qualifying a member for benefits under PTD;

WHEREAS, Section 16 (d) (5) also allowed GSIS to determine other cases that would qualify a member for coverage under PTD;

WHEREAS, there is a need to adopt guidelines in determining cases under Section 16 (d) (5), considering the symptoms or resultant effects of illnesses that may be similar or comparable to the effects of the illnesses under Section 16 (d) (1) to (4), affecting the claimant's capacity to continue engaging in an occupation and/or earning the same level of income;

RESOLVED, to APPROVE and CONFIRM the Policy and Procedural Guidelines (PPG) on Permanent Total Disability Claims under R.A. No. 8291 as proposed by the Senior Vice President, Corporate Services Group and Corporate Planning Office, in her Memorandum dated 4 July 2012;

RESOLVED FINALLY, that Board Resolution No. 11 dated 26 January 2012, the interim policy for PTD claims under Section 16 (d) (5) of R.A. No. 8291 is hereby SUPERSEDED upon the implementation of the PPG on PTD Claims.

A copy of the draft PPG on PTD Claims is made an integral part of this Resolution.

Attachment:

Policy and Procedural Guidelines No. 216-12 Guidelines for Permanent Total Disability (PTD) Claims Under RA 8291

I. BACKGROUND/RATIONALE

This proposal is in response to the need for specific guidelines for Permanent Total Disability (PTD) claims under Republic Act No. 8291 or the GSIS Act of 1997.

Its adoption shall serve as a reference material to guide Medical Officers and other concerned personnel assigned under the Offices of the Senior Vice Presidents of Luzon, National Capital Region (NCR) and Visayas-Mindanao (VisMin) Groups relative to the processing and settlement of PTD claims.

II. OBJECTIVES

- A. To guide the concerned Medical Officers in determining the illnesses or injuries that may qualify for PTD benefits under RA 8291.
- B. To establish procedures in the processing and settlement of PTD claims and in identifying the specific Unit/Department/Personnel accountable and responsible for each stage of the process.

III. DEFINITION OF TERMS

The following terms shall be defined as:

- A. Disability - any loss or impairment of the normal functions of the physical and/or mental faculty of a member, which reduces or eliminates his/her capacity to continue with his/her current gainful occupation; and
- B. Permanent Total Disability - accrues or arises due to injury or disease causing complete, irreversible and permanent incapacity that will permanently disable a member to work or engage in the same occupation resulting in loss of income.

IV. POLICIES

A. GENERAL POLICIES

- 1. The following disabilities shall be considered as permanent and total.
 - a. Complete loss of sight of both eyes;
 - b. Loss of two (2) limbs at or above the ankle or wrist;
 - c. Permanent complete paralysis of two (2) limbs, resulting in the full loss of voluntary movement of legs or arms;
 - d. Brain injury resulting in incurable imbecility, insanity, or physical incapacitation; and
 - e. Such other cases as may be determined by the GSIS Board of Trustees (BOT).
- 2. During the PTD evaluation process, the following conditions shall be satisfied:
 - a. Injury or illness is complete, irreversible and permanent;
 - b. No reasonable or foreseeable probability of recovery at the time of evaluation based on current medical literature;
 - c. State of irreversible changes (body organs and systemic functions) are already established and supported by medical evidence;
 - d. Associated symptoms are progressive and totally debilitating; and
 - e. Overall effect to the physical and/or mental faculties of the claimant prevents him/her from engaging in an occupation and/or earning the same level of income.

3. A claimant shall submit the following proof of inability to work, duly certified by his/her agency's Human Resources office:
 - a. Service Record;
 - b. Certificate of leaves (with and without pay) undertaken, including the leave balance; and
 - c. Daily Time Record (DTR) for the past three (3) months from the date of filing of claim.
4. No Medical Progress Report (MPR) shall be required for cases under Part IV.A. 1(a) to (d), unless specified in the approval.

B. SPECIAL OR BOT-DETERMINED PTD CASES

1. This shall cover special cases under Part IV. A. 1 (e) or the BOT-determined PTD cases based on the symptoms or resultant effects of illnesses that may be similar or comparable to the effects of the illnesses under Part IV. A. 1 (a) to (d), affecting the claimant's capacity to continue engaging in an occupation and/or earning the same level of income.
2. A claimant, entitled to disability benefits, shall submit annual MPR to determine if he/she has recovered or his/her condition still qualifies as PTD.
3. Unless the claimant has reached the minimum retirement age, the grant of disability benefits shall, after validation and due notice, be suspended by GSIS under any of the following conditions:
 - a. The claimant is reemployed but fails to inform GSIS of such reemployment;
 - b. The claimant is reemployed and is earning at least the same level of income before his/her entitlement to disability benefits;
 - c. The claimant recovers from disability as determined by the GSIS, whose decision shall be final and binding; or
 - d. The claimant fails to present his/her self for medical examination when required by the GSIS. However, he/she may request a home visitation in case he/she cannot present his/her self to GSIS for medical evaluation.

C. EVALUATORS OF PTD CLAIMS

An Office Order shall be issued identifying the Medical Evaluators and Medical Reviewers per area of jurisdiction.

D. DUTIES AND RESPONSIBILITIES

1. The SVPs of Luzon, NCR and VisMin Groups shall:
 - a. Designate Medical Officers who shall act as Medical Evaluators and Medical Reviewers for their respective groups;
 - b. Approve or disapprove all PTD claims, within their jurisdiction, upon recommendation of the Medical Reviewer;
 - c. Submit approved and disapproved PTD claims for peer review of the two (2) other SVPs of the Operations Group within two (2) weeks upon approval. The review may not necessarily overturn the decision of the

approving SVP, who shall still be accountable for the approval of the PTD claims.

- d. Ensure the proper implementation of the PTD guidelines and resolve any queries and issues that may arise during its implementation;
- e. Undertake necessary disciplinary action for negligence, connivance in committing fraudulent claims, and any deviations from the prescribed provisions; and
- f. Submit a Year-End Report of all disability claims, including a listing of disability pensioners being monitored, to the President and General Manager not later than the second (2nd) week of January of the following year.

2. The Medical Reviewers shall:

- a. Supervise Medical Evaluators and monitor the evaluation process and ensure its uniform implementation in accordance with the prescribed guidelines;
- b. Endorse to the concerned SVP his/her recommendation on PTD claims and the Disability Evaluation Sheet (DES) detailing the basis/justification of his/her recommendation;
- c. Maintain and regularly update the monitoring tool for disability claims for documentation and monitoring purposes;
- d. Validate supporting documents submitted by the Medical Evaluators; and
- e. Submit the required reports to the concerned SVP within the prescribed period.

3. The Medical Evaluator shall:

- a. Gather medical evidence by obtaining claimant's medical and/or surgical history and other medical documents;
- b. Require submission of claimant's proof of inability to work;
- c. Conduct physical examination (PE) and other necessary procedures in the GSIS Office or during home visitation for verification purposes, whenever necessary; and
- d. Conduct preliminary review to determine if the injury or illness of the claimant qualifies under PTD.

E. ADDITIONAL RESPONSIBILITIES ON SPECIAL OR BOT-DETERMINED PTD CASES

1. The SVPs of Luzon, NCR and VisMin Groups shall submit to the BOT quarterly report of all disability claims granted under special or BOT-determined PTD cases.

2. The Medical Reviewers shall:

- a. Monitor the timely submission of MPRs and ensure that these are verified and validated; and
- b. Send letter to concerned claimant at least two (2) months prior to the scheduled submission of MPRs.

F. LIST OF ILLNESSES OR INJURIES