

THIRD DIVISION

[G.R. No. 182297, June 21, 2017]

GOVERNMENT SERVICE INSURANCE SYSTEM, PETITIONER, VS. FE L. ESTEVES, RESPONDENT.

DECISION

VELASCO JR., J.:

This is a Petition for Review on Certiorari under Rule 45 filed by petitioner Government Service Insurance System (GSIS), assailing the Court of Appeals (CA) Decision dated December 13, 2007^[1] and Resolution dated March 26, 2008.^[2] The CA Decision reversed the ruling of the Employees' Compensation Commission (ECC) in its Decision dated April 20, 2005, denying Death Benefits to respondent Fe L. Esteves for the demise of her husband, Antonio Esteves, Sr. The ECC ruling affirmed petitioner's denial of respondent's claim.

The Facts

The facts of the case, as found by the CA, are as follows:

Antonio Esteves, Sr. was employed as a utility worker at the Gubat District Hospital (GDH), Gubat, Sorsogon, from December 1978 until the time of his death on August 5, 2000. Antonio's duties at the GDH consisted of the following: 1) prepares beds and distributes bedpans; 2) mops, scrubs, polishes furniture, and removes dust in the wards; 3) carries patients, distributes clean clothes and linens, and collects soiled ones; 4) renders personal services to patients and runs errands for nurses and doctors.

On August 5, 2000, Antonio Estevez, Sr. was rushed to the hospital due to body weakness, headache and vomiting. At the hospital, his blood pressure ranged from 170-200 mmHg to 70-200 mmHg. His blood sugar level based on the two tests conducted, ranged from 10.44 mmol/l to 21.95 mmol/l, way above the normal range of 3.85 to 5.77 mmol/l.

A few hours after he was rushed to the hospital, Antonio Esteves, Sr. died. His death certificate states that the following were the causes of his death:

"Immediate cause: a. CVA, HEMORRHAGIC
Antecedent cause: b. HYPERTENSION, STAGE III
Underlying cause: c. NIDDM"

Believing that the death of her husband was work-related and compensable under P.D. No. 626, [respondent] filed a claim for death benefits with the Government Service Insurance System (GSIS).^[3]

Petitioner GSIS, however, denied respondent's claim on the ground that Antonio's underlying cause of death, Non-Insulin Dependent Diabetes Mellitus, is not considered as work-related.

Aggrieved, respondent appealed to the ECC, which rendered the assailed decision, the dispositive portion of which reads:

WHEREFORE, the appealed decision is AFFIRMED and the claim is dismissed for lack of merit.^[4]

In affirming the rejection of the claim, the ECC explained this way:

This Commission finds and holds that the deceased's Stroke was caused by his Diabetes Mellitus. Medical science has already established that 'in most diabetics, regardless of the type of diabetes, morphologic changes are likely to be found in:

'Arteries-Atherosclerosis (hardening of the inner lining of the arteries) begins to appear in most diabetics, whatever their age, within a few years of onset. xxxx this may result to arterial narrowings or occlusions and ischemic injury to organs that induce aneurismal dilatation, seen most often in the aorta, with the grave potential of rupture. This large vessel disease accounts for the myocardial infarction and cerebral stroke...' (Robbins' Pathologic Basis of Disease, 6th, Ed.)

Medical records revealed that Antonio Esteves, Sr. had no records of consultation for Hypertension and Diabetes Mellitus. It was only at the time of his death that he was documented to have elevation in blood pressure and blood sugar. Hence, this Commission holds that Diabetes is the more significant factor of which Hypertension and Stroke are the complications. Neither can it be said that the risk of contracting the Stroke was increased by the deceased's working conditions for irrespective of those conditions, the complications could have set in.

This Commission also holds that the deceased's underlying ailment, Diabetes Mellitus, is not work-connected. The said ailment is caused by genetic factors, obesity, and overeating which are not related to the deceased's employment and working conditions. Hence, irrespective of

the type of work that he had been engaged in, he could have contracted Diabetes.^[5]

Unsatisfied, respondent filed an appeal with the CA which was granted in the assailed Decision dated December 13, 2007, the dispositive portion of which reads:

WHEREFORE, the petition is hereby GRANTED. The assailed Decision of the Employees' Compensation Commission (ECC) is REVERSED and SET ASIDE. The GSIS is directed to promptly pay petitioner Fe L. Esteves compensation arising from the death of her husband, Antonio Esteves, Sr., pursuant to P.D. No. 626, as amended.

SO ORDERED.^[6]

Petitioner filed a motion for reconsideration of the above Decision but was denied in the assailed Resolution dated March 26, 2008.

Hence, the instant petition.

The Issues

Petitioner raises the following issues in the instant petition:

1. Whether the Honorable Court of Appeals committed a reversible error in overturning the Decision of the ECC, which denied the claim for death benefits under P.D. No. 626, as amended, of respondent Fe Esteves due to the death of her husband, the late Antonio Esteves, Sr.
2. Whether the underlying cause of death of the late Antonio Esteves, Sr., which was Diabetes Mellitus as indicated in his death certificate, and his other ailments as merely complications of his Diabetes, may be considered compensable under P.D. No. 626, as amended.^[7]

Ruling of the Court

The instant petition must be granted.

Article 194 of Presidential Decree No. 626, as amended, provides:

ART. 194. Death. (a) Under such regulations as the Commission may approve, the System shall pay to the primary beneficiaries upon the death of the covered employee under this Title an amount equivalent to

his monthly income benefit, plus ten percent thereof for each dependent child, but not exceeding five, beginning with the youngest and without substitution, except as provided for in paragraph (j) of Article 167 hereof: Provided, However, That the monthly income benefit shall be guaranteed for five years: Provided, Further, That if he has no primary beneficiary, the System shall pay to his secondary beneficiaries the monthly income benefit but not to exceed sixty months: Provided, Finally, That the minimum death benefit shall not be less than fifteen thousand pesos. (As amended by Sec. 4, P.D. 1921).

Under Section 1, Rule III of the Amended Rules on Employees' Compensation, the above provision was clarified as follows:

SECTION 1. Grounds. (a) For the injury and the resulting disability or death to be compensable, the injury must be the result of accident arising out of and in the course of the employment. (ECC Resolution No. 2799, July 25, 1984).

(b) For the sickness and the resulting disability or death to be compensable, the sickness must be the result of an occupational disease listed under Annex "A" of these Rules with the conditions set therein satisfied, otherwise, proof must be shown that the risk of contracting the disease is increased by the working conditions.

Thus, petitioner argues that the CA erred in granting death benefits to respondent considering that the deceased employee died because of complications from his Diabetes, viz:

The established fact that the deceased was diabetic, where hypertension and cerebrovascular diseases are scientifically proven to be its chronic complications, must not be completely disregarded and nullified by respondent's mere allegation that her husband had a very stressful job. **As evidence would prove, it was Antonio's diabetes that had directly and proximately caused his cerebrovascular disease and hypertension that led to his death.**^[8] (emphasis supplied)

Petitioner argues that Diabetes Mellitus not being listed as an occupational disease under Annex "A" of the Amended Rules, the death of the deceased, thus, was not compensable and respondent not entitled to death benefits.

We disagree.

Contrary to petitioner's stance, it was not an established fact that the deceased was diabetic. While Emilio's blood sugar was elevated at the time of his death, this does not necessarily mean that he was diabetic.