

**[PHIC PHILHEALTH CIRCULAR NO. 03, s. 2010,
January 28, 2010]**

**CLARIFICATIONS ON PHILHEALTH CIRCULAR NO. 47, S. 2009
(IMPLEMENTING GUIDELINES ON THE IMPOSITION OF
PREVENTIVE SUSPENSION UPON ACCREDITED HEALTH CARE
PROVIDERS WITH PENDING ADMINISTRATIVE CASES BEFORE
PHILHEALTH)**

Items V, VIII and IX of PhilHealth Circular No. 47, s. 2009 are hereby clarified to respectively read as underscored, to wit:

"V. CONDITIONS FOR A PREVENTIVE SUSPENSION

A preventive suspension may be issued only upon the concurrent presence or existence of the following conditions:

a. There must be a pending administrative case with the Arbitration Department against the health care provider which involves any fraudulent offense **as defined under the 2004 Implementing Rules and Regulations (IRR) of Republic Act No. 7875**, namely:

1. Padding of Claims **(Section 140, Rule XXVIII)**
2. Claims for Non-Admitted Patients **(Section 141, Rule XXVIII)**
3. Extending Period of Confinement **(Section 142, Rule XXVIII)**
4. Postdating of Claims **(Section 143, Rule XXVIII)**
5. Misrepresentation by Furnishing False or Incorrect Information **(Section 144, Rule XXVIII)**
6. Fabrication or Possession of Fabricated Forms and Supporting Documents **(Section 148, Rule XXVIII)**
7. Other Fraudulent Acts **(Section 149, Rule XXVIII)**
8. Misrepresentation by False or Incorrect Information **(Section 152, Rule XXIX)** or
9. Other Violations **(Section 154, Rule XXIX)**

b. The order of preventive suspension must be recommended by the Arbitration Department, motu proprio or upon a motion by the Prosecution Department, and must be approved by the Senior Vice-President or head of the Legal Services Sector;

c. The evidence of guilt is strong against the health care provider in the pending administrative case, as determined by the Arbitration Department; **and**

d. The health care provider must have been previously adjudged guilty by the Arbitration Department in another administrative