

**[DOH ADMINISTRATIVE ORDER NO. 2009-0011,
May 20, 2009]**

**GUIDELINES TO IMPLEMENT THE PROVISIONS OF REPUBLIC ACT
9442, OTHERWISE KNOWN AS "AN ACT AMENDING REPUBLIC
ACT NO. 7277, OTHERWISE KNOWN AS THE "MAGNA CARTA FOR
DISABLED PERSONS, AND FOR OTHER PURPOSES," FOR THE
PROVISION OF MEDICAL AND RELATED DISCOUNTS AND
SPECIAL PRIVILEGES**

I. RATIONALE

Republic Act No. 7277, "An Act Providing for the Rehabilitation, Self-Development, and Self-Reliance of Persons with Disability and Their Integration into the Mainstream of Society and for Other Purposes," and otherwise known as "The Magna Carta for Disabled Persons," was passed in March 24, 1992. This specifically required the Department of Health (DOH) to, (1) institute a national health program for PWDs, (2) establish medical rehabilitation centers in provincial hospitals, and (3) adopt an integrated and comprehensive approach to the health development of PWD which shall make essential health services available to them at affordable cost.

Rule IV, Section 4, Paragraph B of the implementing rules and regulations (IRR) of this Act required the Department of Health to address the health concerns of seven (7) different categories of disability, which includes the following: (1) Psychosocial and behavioral disabilities, (2) Chronic illnesses with disabilities, (3) Learning (cognitive or intellectual) disabilities, (4) Mental disabilities, (5) Visual/seeing disabilities, (6) Orthopedic/moving, and (7) Communication deficits.

In addition, Republic Act No. 9442, otherwise known as, "An Act Amending Republic Act No. 7277, otherwise known as the "Magna Carta for Disabled Persons, and for Other Purposes," states in Section 1 that "... a new chapter, to be denominated as Chapter 8. Other privileges and Incentives' is hereby added to Title Two of Republic Act No. 7277, otherwise known as the "Magna Carta for Disabled Persons", with new Sections 32 and 33, to read as follows:

"CHAPTER 8. Other Privileges and Incentives

"SEC. 32. Persons with disability shall be entitled to the following:

- (a) At least twenty percent (20%) discount for the purchase of medicines in all drugstores for the exclusive use or enjoyment of persons with disability;
- (b) At least twenty percent (20%) discount on medical and dental services including diagnostic and laboratory fees such as, but not limited to x-rays, computerized tomography scans and blood tests, in all government facilities, subject to

guidelines to be issued by the Department of Health (DOH), in coordination with the Philippine Health Insurance Corporation (PHILHEALTH);

(c) At least twenty percent (20%) discount on medical and dental services including diagnostic and laboratory fees, and professional fees of attending doctors in all private hospitals and medical facilities, in accordance with the rules and regulations to be issued by the DOH, in coordination with the PHILHEALTH...”

The Implementing Rules and Regulations also stipulates in Rule IV Section 6, paragraph 10 that, “Express lanes for persons with disability shall be provided in all private, commercial and government establishments, in the absence thereof, priority shall be given to them in all the transactions of the establishments”. LGUs shall ensure that this provision is implemented within their area of jurisdiction. There should be an assigned person in all government agencies/offices and private establishments and to provide a section or desk manned by trained personnel to assist persons with disability. The personnel assigned shall be part of the existing human resource in all other government agencies/offices and private establishments as the case maybe or whenever possible.

Cognizant of the needs of the persons with disabilities and the economic and financial viability of the medical practitioners and hospitals, this Order is issued to support the Implementing Rules and Regulations of RA 9442. Policies and guidelines are enumerated herewith to guide the hospitals and medical, allied medical, paramedical or medical social worker practitioner so as to provide a fair, just and quality health care to PWDs while maintaining the financial and economic viability of the hospitals.

II. OBJECTIVES

To prescribe the procedures and guidelines for the implementation of the 20% discount in all health related services for PWDs

III. COVERAGE AND SCOPE

This Administrative Order applies to all private and government hospitals, health-related facilities, the health care professionals, the Philippine Health Insurance Corporation, and related health-care establishments, pharmacies and other establishment dispensing medicines.

IV. DEFINITION OF TERMS

Consistent with the pertinent definitions used in the Implementing Rules and Regulations of RA 7277 and RA 9442, the following terms shall be defined as follows:

1. **ASSISTIVE DEVICES** - Any device that is designed, made, or adapted to assist a person to perform a particular task or activity for daily living. For examples, hearing aides, electronic voice products, talking watches and related talking electronic equipment, canes, crutches, walkers, wheel chairs, and shower chairs are all assistive devices.

2. BIRTHING HOME OR CENTER - A medical facility designed to provide a comfortable, homelike setting during childbirth and that is generally less restrictive than a hospital in its regulations, as in permitting the practice of midwifery.

3. CHRONIC ILLNESS - words to describe a group of health conditions that last a long time. It may get slowly worse over time or may become permanent or it may lead to death. It may cause permanent change to the body and it will certainly affect the person's quality of life.

4. CLINIC means a place in which patients avail of medical consultations or treatment s on an outpatient basis. However, any clinic or dispensary where there is at least six (6) beds or cribs or bassinets installed for twenty-four hour use by patients shall be construed to fall within the definition of a hospital as described in RA 4226, the Hospital Licensure Act.

5. COMMUNICATION DISABILITY - An impairment in the process of speech, language or hearing: a) Hearing impairment is a total or partial loss of hearing function which impedes the communication process essential to language, educational, social and/or cultural interaction b) "Speech and Language Impairments" mean one or more speech/ language disorders of voice, articulation, rhythm and/or the receptive and expressive processes of language.

6. CHILD WITH DISABILITY - persons below eighteen (18) years of age and those over but with mental capacity as that of a child and are unable to fully take care of themselves or protect themselves because of mental retardation, hearing impairments including deafness, speech or language impairments, visual impairments including blindness, serious emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments or specific learning disabilities who by reason thereof need special education and other services.

7. DENTAL SERVICES - services related to oral examination, cleaning, permanent and temporary filling, extractions and gum treatments, restoration, replacement or repositioning of teeth, or alteration of the alveolar or periodontium process of the maxilla and the mandible that are necessary for the diagnosis and/or treatment of a dental illness, injury or condition.

8. DIAGNOSTIC AND LABORATORY TESTS - any procedure conducted for diagnostic purposes. It shall include such procedures as x-rays, CT-scans, MRI scans, PET scans, blood chemistry exams, his topathology, and immunopa thology, hematology, urine analysis, parasitology, and bacteriology tests, serology, blood banking and all other diagnostic radiology, clinical laboratory and other diagnostic examinations that are necessary for the diagnosis of the disability or medical condition of a disabled person. It shall also include clinical psychological tests, assessment of speech conditions, and tests for hearing acuity, visual acuity, learning impairment, and related psychosocial conditions like drug testing.

9. **DISABILITY** - The interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others.

10. **DISABILITY TYPES** - the 7 types of disabilities mentioned in RA 7277 are psychosocial disability, disability due to chronic illness, learning disability, mental disability, visual disability, orthopedic disability, and communication disability.

11. **ESTABLISHMENTS DISPENSING MEDICINES AND ASSISTIVE DEVICES** - drug stores, assistive device stores, government or private hospital pharmacies, medical clinics, optical clinics, audiology centers, and similar establishments dispensing medicines and selling assistive devices duly licensed or franchised by the BFAD and/or the local government unit.

12. **GOVERNMENT HEALTH FACILITY** - hospitals, outpatient clinics, health centers, rural health units or stations, clinical laboratory, diagnostic radiology center, audiology centers, optical clinics, psychological testing centers, drug testing centers, and other outpatient health facilities operated and maintained partially or wholly by the national, provincial, city or municipal government, or other political unit; or by any department, division, board or agency thereof. The facilities include DOH retained hospitals, specialty hospitals which are government owned and controlled corporations (GOCCs); medical clinics in GOCCs; and hospital or health facilities owned and managed by local government units, state colleges and universities, the Department of National Defense, the Department of Interior and Local Government and other government agencies.

13. **GOVERNMENT HOSPITAL** is a hospital operated and maintained either partially or wholly by the national, provincial, municipal, or city government or other political subdivision, or by any department, division, board or other agency thereof.

14. **HEALTH CARE PROFESSIONAL** - any licensed physician, dentist, nurse, midwife, allied medical practitioner, paramedical practitioner, or other health care professional or practitioner duly licensed to practice in the Philippines.

15. **HEARING DISABILITY** - moderate or worse hearing impairment in the better ear; that is, the permanent unaided hearing threshold level of the better ear of 41 or 31 decibels or greater in age under 15 years old.

16. **HEARING IMPAIRMENT** - the complete or partial loss of the ability to hear from one or both ears; with 26 decibels or greater hearing threshold, averaged at frequencies 0.5, 1.0, 2.0, and 4.0 kilohertz.

17. **HOSPITAL** - means a place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment and care of individuals suffering from illness, disease, injury or deformity, or in need of obstetrical or other medical and nursing care. The term shall also be construed as any institution, building or place where there are installed beds or cribs or bassinets for twenty-four hour use of longer by patients

in the treatment of diseases, diseased-condition, injuries, deformities or abnormal physical and dispensaries, and such other means by which they may be designated.

18. IDENTIFICATION DOCUMENT - any document or proof of being disabled which shall be used for availment of benefits and privileges under the law, such as the PWD identification card duly signed by anyone of the following: the Mayor, Barangay Captain or Chairperson of the National Council for the Welfare of Disabled Persons (NCWDP) now the National Council on Disability Affairs (NCDA), during the first 3 years. The signatory of the PWD identification card after this period shall be the Chairperson of the NCDA.

19. IMPAIRMENT - any loss, diminution or aberration of psychological or physiological function with or without an accompanying anatomical structural defect.

20. LEARNING DISABILITY - any disorder in one or more of the basic psychological processes (perception, comprehension, thinking, etc.) involved in understanding or in using spoken or written language.

21. MEDICAL DEVICES - an instrument, apparatus, equipment, machine, contrivance, implant, in vitro reagent, or other similar or related article, including a component part, or accessory which is: (1) intended for use in the diagnosis of disease or other conditions, or in the cure, mitigation, treatment, or prevention of disease, in persons with disabilities, (2) intended to affect the structure or any function of the body of PWDs, and which does not achieve any of its primary intended purposes through chemical action within or on the body of man or other animals and which is not dependent upon being metabolized for the achievement of any of its primary intended purposes.

22. MEDICAL SERVICES - shall refer to the hospital room accommodation, hospital services, medical supplies, professional services of physician, allied medical practitioner, or paramedical practitioner and other health care professionals, diagnostic services, and laboratory services that are necessary for the prevention, diagnosis, treatment, rehabilitation, and palliation of a persons disability, illness or injury. This should not be limited to hospital services but should include clinics and other health facilities.

23. MEDICALLY NECESSARY - Services required to preserve and maintain the health status of a person in accordance with the accepted standards of the medical practice in the medical community or services which are absolutely necessary in treating a patient and which could adversely affect the patients' condition if it were omitted.

24. MEDICINES - refers to both prescription and non-prescription medicines and drugs approved by the Bureau of Food and Drugs, intended for the prevention, diagnosis, cure, mitigation, treatment, rehabilitation, and palliation of diseases, injury or other medical conditions.