

**[ BFP MEMORANDUM CIRCULAR NO. 2008-008,  
May 06, 2008 ]**

**RULES AND REGULATIONS GOVERNING THE INVESTIGATION  
AND ADJUDICATION OF DEATH AND DISABILITY BENEFITS OF  
THE BUREAU OF FIRE PROTECTION (BFP) UNIFORMED  
PERSONNEL IN THE ACTIVE SERVICE**

Pursuant to the provisions of Section 76 of RA 6975, as amended, the Bureau of Fire Protection hereby adopts and promulgates the following rules and regulations governing the investigation and adjudication of benefit claims of uniformed BFP members.

**RULE I  
TITLE AND CONSTRUCTION**

*SECTION 1. Title of the Rules* - These rules shall be known and cited as the "Rules and Regulations Governing the Investigation and Adjudication of Death and Disability Benefits of Uniformed Personnel of the Bureau of Fire Protection (BFP)".

*SECTION 2. Coverage* -These Rules shall apply to claims for death and permanent total disability benefits of uniformed personnel of the BFP.

All claims for temporary disability or sickness benefits of uniformed BFP personnel shall be filed and acted upon in accordance with the existing BFP Rules and Regulations relative thereto.

*SECTION 3. Construction* - These Rules shall be liberally construed in order to promote and attain the objectives of obtaining a just, reasonable and speedy investigation and adjudication of benefit claims.

**RULE II  
DEFINITION OF TERMS**

*SECTION 1. Terms Defined* - For purposes of these Rules these relevant terms are hereby defined to mean as follows:

- a. Board - refers to the death and disability board created under BFP SOP 2001-04, as amended.
- b. Claim Investigator - an officer or non-officer designated by the board to investigate applications for benefit claims.
- c. BFP uniformed member-an officer or non-officer of the BFP appointed in accordance with RA6975, as amended.

d. Disability - any loss or impairment of the normal functions of the physical or mental facilities of a BFP member which reduces or eliminates his capacity to continue with his present employment.

e. Permanent Total Disability - same as defined under Section 1, Article 1 of BFP Board Resolution No. 2001-01.

In all cases, the disability shall be deemed permanent if it has persisted for a period exceeding six (6) months, without fixed healing period and renders the BFP personnel incapable of performing his duties and functions; Provided, Further, that in case the disability is found to be permanent beyond doubt upon medical examination of the said personnel, the waiting period of six (6) months may be waived.

f. Injury - any harmful change in the human organism from any incident sustained at work, while at the work place, or elsewhere while executing an order from the employer, or sustained by reason of the performance of duty.

g. Salary - means basic pay plus longevity pay

h. Sickness - an illness accepted as an occupational disease, or any illness caused or aggravated by employment, subject to proof that the risk of contracting the same is increased by working conditions.

i. Death - the loss of the life from injury or sickness.

j. Supplies - medicines and other medical, or surgical items.

### RULE III GROUNDS FOR COMPENSABILITY AND DOCUMENTARY REQUIREMENTS

*SECTION 1. Grounds for Compensability* - (a) For the injury and resulting disability death to be compensable the injury must be the result of an employment accident satisfying any of the following conditions;

1. The BFP personnel must have been injured at the place where his work requires him to be and must have been performing his official functions.

2. If the death or injury is sustained elsewhere, the BFP personnel must have been executing or acting upon a lawful order from his Fire Marshal or from his supervisor as the case may be;

3. The death occurred or injury is sustained by reason of or while in the performance of official duty;

b. For the sickness and the resulting disability or death to be compensable, the sickness must be the result of occupational disease or that the risk of contracting the disease is increased by the working conditions as determined by the board.

*SEC. 2. Supporting Documents in a Claim for Permanent Total Disability* - A claim for permanent total disability of a BFP personnel shall be in writing and under oath, filed in triplicate copies, and shall state the name and residence of the claimant,

brief summary of the claim, the grounds thereof and the relief sought.

The following must be attached to the application:

- a. Recommendation for the permanent disability of a disabled BFP personnel by the Fire Marshal or his duly authorized representative;
- b. Service Record duly authenticated;
- c. Certification from the appropriate BFP medical officer or Compensation Rating Medical Officer or in the absence thereof, from an appropriate doctor of any government hospital or medical facility/institution certifying that the BFP personnel is unfit to further perform the duties of his office.
- d. Detailed investigation report from Fire Marshal or immediate superior or supervisor, as to the cause and extent of the disability;
- e. Certified true copy of appointment;
- f. Certification of clearance from money and property accountability;
- g. Certificate from the Fire Marshal or Personnel Officer, as the case may be indicating the restorable deducted leave credits for absences incurred by reason of the injury sustained Or sickness contracted which is the subject of the present claim.
- h. Official receipt duly numbered and dated for reasonable medical and hospitalization expenses, necessary expenses for transportation and subsistence incurred on account of service-connected disability; Purchase of medicine in excess of P50.00 shall be evidence by Doctor's prescription.

*SECTION 3. Supporting Documents in a Claim for Death Benefits* - A claim for death benefits shall be in writing and under oath, filed in triplicate copies and indicating briefly and clearly the identity of the deceased BFP personnel, the date and cause of his death.

The following must be attached to the claim:

- a) Updated Service Record duly authenticated;
- b) Death Certificate duly certified by the Local Civil Registrar;
- c) Detailed Official Investigation Report from the Fire Marshal or immediate superior or supervisor as to the circumstances or cause of death;
- d) Certified true copy of decedent's appointment;
- e) Certificate from the Fire Marshal or Personnel Officer, indicating the restorable deducted leave credits for absences incurred by reason of sickness or injury which caused his death and the subject of the claim;
- f) Official receipts duly dated and numbered of reasonable expenses incurred for

medicines, medical attendance, hospital fees, including necessary transportation and subsistence; Purchase of medicine in excess of P50.00 shall be evidenced by doctor's prescription;

g. Certificate of Clearance from money and property accountability;

h. Marriage Contract of surviving spouse and birth certificates of surviving children, if any, properly certified by the Local Civil Registrar;

i. Proofs pertaining to other surviving legal heirs if claimant is other than the surviving spouse or child;

If the claim is filed by a surviving parent or by a brother or sister, proof must be submitted indicating that the deceased died single without any surviving child/children.

#### RULE IV PROCEDURE

##### *SECTION 1. Who may File Claim for Death and Disability Benefits -*

Section 1.1a A claim for Permanent Total Disability may be filed by the BFP personnel himself or in case of physical incapacity, his duly authorized representative.

Section 1.1.b On the other hand, a claim for death benefits may be filed by the survivors of the deceased BFP personnel under Section 3 of Resolution No. 2001-01.

*SEC. 2 Where to File Claim -* A claim for Permanent Total Disability or death benefits of a BFP personnel shall be filed with the Office of the Benefit Assistance Section The province or city where the BFP personnel is stationed or in any of the regional offices of the bureau.

*SEC 3. Notice-* Written notice of sickness, injury, or death shall be given to the Fire shal as the case may be, by the BFP personnel or his representative, within thirty (30) Have from the occurrence of the contingency.

*SEC 4. Investigation of Claim -* Within five (5) days from receipt of the application, , gpp provincial/City IAS or designated claim investigator shall cause the issuance of Notice of Hearing to the claimant/s, heirs, and other persons whose presence in the investigation is necessary. In no case shall the hearing of the claim be delayed for more than fifteen (15) days from the date of filing.

Should a serious question on the compensability of a claim arise, the BFP Regional Director concerned may direct the BFP Regional investigation and Intelligence Division (RIID) to conduct the necessary inquiry, and forthwith, submit the corresponding Official Detailed Investigation Report. Said detailed IR shall be forwarded to the Death and Disability Board or designated Claim Investigator as part of the records of the claim.

After its investigation, the BFP Provincial IAS or designated Investigation officer shall forward its Report of Investigation on the claim, as well as the supporting papers