

FIRST DIVISION

[G.R. No. 173049, May 21, 2009]

GOVERNMENT SERVICE INSURANCE SYSTEM (GSIS), PETITIONER, VS. TERESITA S. DE GUZMAN, RESPONDENT.

DECISION

PUNO, C.J.:

For resolution is a petition for review on *certiorari* under Rule 45 seeking to reverse and set aside the Decision^[1] of the Court of Appeals in CA-G.R. SP No. 91046, which overturned the Decision^[2] of the Employees' Compensation Commission (ECC) in ECC Case No. GM-16855-0214-05 affirming the denial by the GSIS of respondent's claim under Presidential Decree (P.D.) No. 626, as amended, for reimbursement of her medical expenses incurred in the operation of her left eye due to cataract.

Respondent Teresita S. De Guzman, 53 years old, joined the Public Attorney's Office (PAO) as Citizens' Attorney I in April 1988.^[3] After three months, she was promoted to Citizens' Attorney II, and in November 1997, she was promoted to Public Attorney III.^[4] A year thereafter, respondent was promoted to the position of Section Chief/supervisor of section "C" at the Special and Appealed Cases Division.^[5] In May 2004, she transferred to the Field Services and Statistics Division of the PAO.^[6]

Respondent's medical history reveals that she was diagnosed with hyperthyroidism in 1992, and in 1997, with hypertension. In 1999, respondent was diagnosed with diabetes mellitus, type 2.

During a routine visit to her nephrologist/endocrinologist, Dr. Romulo Ramos, at the University of the East-Ramon Magsaysay Medical Center, respondent was referred to ophthalmologist Dr. Rizalino Jose Felarca for an eye check-up. Upon examination on June 15, 2002, it was discovered that respondent had "near mature cataract OD and an immature cataract OS."^[7]

After further examination, respondent decided to undergo a cataract extraction procedure to be performed by Dr. Harvey S. Uy of the Asian Eye Institute in Makati City. In preparation for said procedure, Dr. Uy asked respondent's endocrinologist, Dr. Romulo Ramos, and cardiologist, Dr. Norbert Uy, for endocrine and cardio-pulmonary clearance, respectively.^[8] His referral letter to Dr. Ramos read:

Dear Dr. Ramos:

Ms. De Guzman has mature cataract, left eye from diabetes. She wants to undergo cataract extraction left eye under local with sedation.

I am referring her back to you for endocrine clearance. Thank you.

(signed)

Harvey S. Uy, M.D.^[9]

On the other hand, Dr. Uy's referral letter to respondent's cardiologist read:

Dear Dr. Uy:

We are refererring Ms. Teresita Guzman for cardiopulmonary clearance. She wishes to undergo cataract extraction, left eye under local with sedation. Thank you.

(signed)

Harvey S. Uy, M.D.^[10]

After the necessary medical clearances were given, respondent's cataract was successfully extracted on August 22, 2004 at the Asian Eye Institute.

On October 27, 2004, respondent filed with petitioner a claim for medical reimbursement in the amount of P40,000.000 under the Employees' Compensation Law (P.D. No. 626, as amended). In her letter to petitioner, respondent insisted that "[my] ailment was work-related although some doctors say it was caused by [my] diabetes."^[11] She pointed out that inasmuch as her eye developed a cataract due to decades of use and abuse from reading voluminous law books, commentaries, transcripts of stenographic notes and pleadings, she should be entitled to her claim for reimbursement.^[12]

On December 14, 2004, petitioner denied respondent's claim, reasoning that cataract is associated with aging, diabetes mellitus, genetic abnormalities and trauma in the eyes, but not with decades of reading. Moreover, petitioner found no concrete and substantial proof that the illness was directly caused by respondent's performance of her daily duties.

On appeal, the ECC affirmed the findings of petitioner denying respondent's claim. Per the decision, respondent's ailment was not included in the exclusive list of compensable occupational diseases under the Amended Rules on Employees' Compensation.^[13] Likewise, the ECC found that respondent's ailment could not be categorically attributed to her working conditions because of the presence of another major causative factor- respondent's diabetes.^[14] Dissatisfied with the decision of the ECC, respondent filed a petition for review before the Court of Appeals.

In its decision promulgated on June 7, 2006, the Court of Appeals reversed the ECC, reasoning that petitioner had clearly demonstrated and explained through substantial evidence how her cataract was effectively affected because of the readings she had to do in relation to her work.^[15] Further, it noted that notwithstanding the abandonment of the presumption of compensability established

by the old law, the present law has not ceased to be a social legislation, and that therefore, all doubts must be resolved in favor of the claimant.

Dissatisfied, petitioner comes before us arguing that the Court of Appeals erred in granting respondent's claim in the face of evidence that the latter's cataract was caused, not by her work but, by her diabetes.

We deny the petition.

Respondent is claiming reimbursement under Articles 185, 189 and 190^[16] of P.D. No. 626, as amended, for expenses incurred in her cataract extraction procedure. ^[17] According to the Amended Rules on Employees' Compensation implementing P.D. No. 626, as amended, "[f]or 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."^[18] Stated otherwise, in order for a sickness to be compensable, it must have resulted from any illness which is (a) definitely accepted as an occupational disease or (b) caused by employment, subject to proof that the risk of contracting the same is increased by working conditions.^[19]

The List of Occupational and Compensable Diseases provided under P.D. No. 626^[20] only allows for the compensation of a specific kind of cataract, viz.:

Occupational Diseases	Nature of Employment
xxx xxx xxx Cataract produced by exposure to the glare of, or rays from molten glass or molten or red hot metal. xxx xxx xxx	xxx xxx xxx Frequent and prolonged exposure to the glare of or rays from molten glass or red hot metal. xxx xxx xxx

As the ECC explained, the cataract compensable under the law is limited to what is known as "glass blower's cataract" common among furnace men, glass blowers, bakers, blacksmiths, foundry workers, and other workers exposed to infrared rays. ^[21] However, inasmuch as respondent's illness does not squarely fall within the abovementioned category, respondent is still not precluded from claiming reimbursement as she has proven the merit of her claim by showing that her risk of contracting cataracts was increased by her working conditions.

The degree of proof required under P.D. No. 626 is merely substantial evidence, or "such relevant evidence as a reasonable mind might accept as adequate to support a conclusion."^[22] We have repeatedly held that to prove compensability, the claimant must adequately show that the development of the disease is brought largely by the conditions present in the nature of the job.^[23] What the law requires is a reasonable work-connection and not a direct causal relation.^[24] It is enough that the hypothesis on which the workmen's claim is based is probable.^[25] Medical opinion to the contrary can be disregarded especially where there is some basis in the facts for inferring a work-connection.^[26] Probability, not certainty, is the touchstone. ^[27]