

*Republic of the Philippines*  
Department of the Interior and Local Government  
National Police Commission  
Makati City

MEMORANDUM CIRCULAR NO. 2000-005

**RULES AND REGULATIONS GOVERNING THE  
INVESTIGATION AND ADJUDICATION OF BENEFIT  
CLAIMS OF UNIFORMED MEMBERS OF THE  
PHILIPPINE NATIONAL POLICE (PNP)**

Pursuant to the provisions of Section 76 of RA 6975, as amended, the National Police Commission hereby adopts and promulgates the following rules and regulations governing the investigation and adjudication of benefit claims of uniformed PNP 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 Benefit Claims Of Uniformed Members Of The Philippine National Police (PNP)."**

Sec. 2. Coverage. - These Rules shall apply to claims for death and permanent total disability benefits of uniformed members of the PNP.

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

Sec. 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.

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## 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. Commission - refers to the National Police Commission created under RA 6975, as amended.
- b. Hearing Officer - an official designated by Napolcom to investigate applications for benefit claims.
- c. PNP uniformed member - an officer or non-officer of the PNP appointed in accordance with RA 6975, as amended.
- d. Disability - any loss or impairment of the normal functions of the physical or mental faculties of a PNP member which reduces or eliminates his capability to continue with his present employment.
- e. Permanent Total Disability - any impairment of the mind or body which renders the disabled uniformed PNP member incapable of performing substantially the duties of a police officer and which is expected to be long, continued and of indefinite duration, Provided, that irreparable loss of the power of speech, or sense of hearing, or loss of one or both hands or feet, or loss of one eye or both eyes, or loss of the limbs at or above the ankle or wrist, paralysis of one or both limbs, or brain injury resulting in incurable imbecility or insanity shall be considered permanent total disability.

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 PNP member 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 said member, the waiting period of six (6) months may be waived.

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- 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. 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.
- h. Death - the loss of life from injury or sickness.
- i. Supplies - medicines and other medical, or surgical items.

### RULE III

#### GROUND FOR COMPENSABILITY AND DOCUMENTARY REQUIREMENTS

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

- 1) The PNP member 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 PNP member must have been executing a lawful order from his Chief of Police or from his supervisor, as the case may be;
- 3) The death or injury is sustained by reason of 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 an occupational disease as determined by the Commission; otherwise, proof must be shown that the risk of contracting the disease is increased by the working conditions.

**Sec. 2. Supporting Documents in a Claim for Permanent Total Disability. -**

A claim for permanent total disability of a PNP member 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 total disability of a disabled PNP member by the PNP Chief or his duly authorized representative;
- b) Service record duly authenticated;
- c) Certification from the appropriate medical officer or Compensation Rating Medical Officer that the PNP member is unfit to further perform the duties of his office;
- d) Detailed investigation report from Chief of Police 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 Chief of Police 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 transportation and subsistence incurred on account of service-connected disability; Purchase of medicine in excess of P50.00 shall be evidenced by Doctor's prescription.

**Sec. 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 the identity of the deceased PNP member, the date and cause of his death.

The following must be attached to the claim:

- a) Service Record duly authenticated;
- b) Death Certificate duly certified by the Local Civil Registrar;
- c) Detailed Investigation Report from the Chief of Police 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 Chief of Police 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 doctors 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 of surviving legal heirs if claimant is other than the surviving spouse or child;

Sec. 2. Supporting Documents in a Claim for Permanent Total Disability. -

A claim for permanent total disability of a PNP member 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 total disability of a disabled PNP member by the PNP Chief or his duly authorized representative;
- b) Service record duly authenticated;
- c) Certification from the appropriate medical officer or Compensation Rating Medical Officer that the PNP member is unfit to further perform the duties of his office;
- d) Detailed investigation report from Chief of Police 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 Chief of Police 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 transportation and subsistence incurred on account of service-connected disability; Purchase of medicine in excess of P50.00 shall be evidenced by Doctor's prescription.

Sec. 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

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

##### COMMENCEMENT OF PROCEEDINGS

Section 1. Who May File Claim for Disability - A claim for Permanent Total Disability may be filed by the PNP member himself or in case of physical incapacity, his duly authorized representative.

On the other hand, a claim for death benefits may be filed by the following in the order of precedence:

- a) Surviving spouse;
- b) Surviving dependent legitimate children;
- c) Non-dependent legitimate children and illegitimate children;
- d) Surviving parents;
- e) Surviving brothers and sisters;

Sec. 2. Where to File Claim. - A claim for permanent total disability or death benefits of a PNP member shall be filed with the Office of the Napolcom Provincial Officer of the province or city where the PNP member is stationed or in any of the regional offices of the Commission.

Sec. 3. Notice. - Written notice of sickness, injury, or death shall be given to the Chief of Police, as the case may be, by the PNP member or his representative, within thirty (30) days from the occurrence of the contingency.

Sec. 4. Investigation of Claim - Within five (5) days from receipt of the application, the Napolcom Provincial Officer or designated Hearing Officer 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 Napolcom Regional Director concerned may direct the Regional Investigating Unit (RIU) to conduct the necessary inquiry, and forthwith, submit the corresponding Report of Investigation (ROI). Said ROI shall be forwarded to the Napolcom Provincial Officer or designated Hearing Officer as part of the records of the claim.

After its investigation, the Napolcom Provincial Officer or designated Hearing Officer shall forward its Report of Investigation on the claim, as well as the supporting papers and documents, within fifteen (15) days from termination of its proceedings to the Napolcom Regional Office for adjudication.

Sec. 5. Transfer of Venue - As a matter of policy, a request for change or transfer of venue of investigation of a claim for benefits is not allowed. However, the Napolcom Regional Director who has jurisdiction over the said claim may allow the same under any of the following conditions:

- a) The claimant transferred his residence to another place which is outside the jurisdiction of the designated Hearing Officer.
- b) The PNP member who filed a claim for permanent total disability is reassigned to another police station and it is physically impossible for him or will cause serious harm to himself to attend the investigation.
- c) Other cogent reasons the Napolcom Regional Director may consider appropriate.

Request for transfer of venue outside the jurisdiction of the Napolcom Regional Office shall be indorsed to the Office of the Vice-Chairperson/Executive Officer for consideration through the Legal Affairs Service.

Sec. 6. Adjudication and Payment - All claims for benefits are adjudicated and paid at the Napolcom Regional Offices.

However, when there is insufficiency of funds to pay the whole or a part of the benefits, a copy of the Adjudication together with such documents supportive of the approval of the claim shall be forwarded to the Central Office for payment, including the monthly pension, if any.

Sec. 7. Appeal - Within ten (10) days from receipt of the decision denying a claim, the claimant may file an appeal with the Napolcom Regional Appellate Board (RAB) by filing a Notice of Appeal with the Napolcom Regional Office. The decision of the RAB on police benefits claim is final and executory.

Sec. 8. Prescriptive Period - A claim for compensation benefits shall not prescribe.

## RULE V

### BENEFITS AND BENEFICIARIES

Section 1. Death Benefits of PNP Beneficiaries. - The following benefits shall be awarded to the beneficiaries of a PNP member, to wit;

- A. Surviving spouse or, if there be none, the surviving dependent legitimate children.
1. Gratuity equivalent to decedent's one year basic salary;
  2. Burial expenses equivalent to three month's basic salary;
  3. Monthly pension equivalent to 80% of decedent's basic salary for a period of five (5) years from the date of death;
  4. Reimbursement of reasonable expenses for medicines, medical attendance, hospital fees, necessary transportation and subsistence;

5. Restoration of deducted leave credits for absences incurred by reason of sickness or injury which caused his death and the subject of the present claim.

B. In the absence of the surviving spouse and dependent legitimate children, the non-dependent legitimate children together with illegitimate children, if any, or if there be none, the surviving parents or in their absence, surviving brothers and sisters of the deceased PNP member, shall be entitled to the following death benefits:

- 1) Gratuity equivalent to decedent's one year basic salary;
- 2) Burial expenses equivalent to three months' basic salary;
- 3) Reimbursement of reasonable expenses for medicines, medical attendance, hospital fees, necessary transportation and subsistence;
- 4) Restoration of deducted leave credits for absences incurred in line of duty.

Sec. 2. Permanent Total Disability Benefits. - The following permanent total disability benefits shall be awarded to a PNP member who incurred such disability in line of duty, to wit:

- a. Gratuity equivalent to one year basic salary;
- b. Lifetime monthly pension equivalent to 80% of member's basic salary;
- c. Reimbursement of reasonable expenses for medicines, medical attendance, hospital fees, necessary transportation and subsistence;
- d. Restoration of deducted leave credits.

Sec. 3. Effectivity Date of Retirement of PNP Members on the Ground of Permanent Total Disability. - The act of the PNP Chief of recommending the retirement of a PNP member on account of permanent total disability is a step or a requisite in the whole process of filing a claim for permanent total disability benefits with the Napolcom Provincial Officer or designated Hearing Officer. His retirement by reason of total permanent disability takes effect only on the date of approval of said claim by the Commission.

If a PNP member has been compulsory retired pursuant to Sec. 39 of RA 6975 prior to the approval of his claim by the Commission for permanent total disability benefits, it having been established that he incurred such disability before his compulsory retirement, the effectivity date of payment of pension by the Commission shall likewise commence on the effective date of the PNP compulsory retirement.

Prior to the approval of the claim by the Napolcom, the PNP member concerned shall continue to render police service and receive his salary as such, unless he has already reached his compulsory retirement age in which case he shall automatically cease to report for duty and to receive salary.

Section 4. Beneficiaries in Death Claims. - a) The following are the beneficiaries in the order of precedence, to wit:

1. Surviving spouse
2. Surviving dependent legitimate children
3. Non-dependent legitimate children and illegitimate children
4. Surviving parents
5. Surviving brothers and sisters (PD 1184)

b) If a deceased PNP member during his lifetime contracted a second marriage after the death of his first spouse, the surviving dependent legitimate children of the first marriage, if any, shall be entitled to a proportionate share of the benefits applying suppletorily the provision of Article 888 of the New Civil

Code which states that "the legitime of legitimate children and descendants consists of one-half of the hereditary estate of the father and of the mother. The latter may freely dispose of the remaining half, subject to the rights of illegitimate children and of the surviving spouse as hereinafter provided."

The dependent legitimate children of the first marriage shall, in support of their claim, submit proof evidencing filial relationship with the deceased PNP member.

c) If the deceased PNP member is a Mohammedan, the award of compensation benefits to the beneficiaries shall be made in accordance with the provision of PD 1083 (Code of Muslim Personal Law of the Philippines).

Sec. 5. Survivorship Benefits. - When a PNP member who has been retired under permanent total disability under RA 6975, as amended, dies within five (5) years from the date of his disability retirement, his surviving spouse or, if there be none, his surviving dependent legitimate children shall be entitled to the pension for the remainder of the five-year guaranteed period.

## RULE VI

### SCOPE OF MEDICAL ATTENDANCE AND HOSPITALIZATION BENEFITS

Section 1. Scope of Service. - Medical and hospitalization benefits shall embrace the following:

a. Medical

- a. Professional attendance and treatment
- b. Consultative Professional Fees (Medical)

b. Surgical

- a. Surgical operation or intervention, after-care and follow-up
- b. Consultative Professional Fees (Surgical)

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- c. Hospital
  - a. Accommodation and subsistence
  - b. Ambulance and operating room services
  - c. Clinical laboratory service
  - d. Diagnostic services/procedure as may be necessary to diagnose or effect a cure
  
- d. Supplies
  - a. Drugs, medication or medical supplies
  - b. Any other goods or supplies prescribed for medical diagnose, care or treatment

## RULE VII

### RULES FOR PAYMENT AND/OR REIMBURSEMENT OF REASONABLE MEDICAL EXPENSES

Section 1. Prior Examination and Evaluation by the Clinic Physician. - Except in emergency cases, PNP members who want to be hospitalized must consult the Clinic Physician or Compensation Rater for examination and evaluation of the sickness or injury, who shall then issue necessary referrals.

Sec. 2. Hospital Room Rate. - Hospital room rate shall not exceed P1,500.00/day except in the following cases:

- a. When the condition of the patient needs to be confined in the ICU or in a specialized unit;
- b. When special equipment is installed or used for the patient's survival;
- c. In cases of emergency when the patient needs to be brought to a nearest hospital, the cheapest room available must be chosen. As soon as the patient's condition improves or when the emergency ceases, the patient must be transferred to a room with a rate of not more than P1,500.00/day. Otherwise, the excess shall be borne by the patient;

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- d. Any other cases analogous to the foregoing, upon evaluation and recommendation by the Clinic Physician or Compensation Rater.

Professional and hospital bills shall be evaluated by the Compensation Rater prior to approval by the Commission.

Sec. 3. Medicines. - Payment of necessary medicines, drugs, and other medical preparation duly prescribed by a physician whether purchased from a reputable drug store or supplied by the attending physician shall be allowed provided that the same shall not be more than the "retail price" prevailing in the local drug stores. Provided, further, that request for payment must be properly supported by official receipts, duly dated, numbered, and with corresponding doctor's prescription duly authenticated by the Clinic Physician or Compensation Rater. In case of purchase of medicines, the same shall be subject to the evaluation by the Compensation Rater.

Sec. 4. Limitation on Reimbursement of Expenses - The Commission shall reimburse to a PNP member who suffers injury or contracts sickness in line of duty all necessary medical, surgical and hospital services, as the nature, seriousness, difficulty and complication of the injury or sickness may require.

The Commission shall pay only reasonable, necessary, and relevant services. Therefore, except in emergency cases, a PNP member may undergo laboratory work-ups and such other prescription procedures only after he/she has been examined by the Clinic Physician who will then issue the necessary referrals.

Sec. 5. Effect of Disapproval of Claim. - If the claim is disapproved, payment of medical and/or hospitalization services rendered shall be borne by the PNP member concerned or his/her heirs.

Sec. 6. Medical Reexamination. - The Clinic Physician or Compensation Rater may require a PNP member to undergo medical reexamination to determine whether or not he/she has fully recovered from a particular ailment.

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## RULE VIII

### Liability

Section 1. Grounds for Denial of Claim. - No compensation shall be allowed to a PNP member or dependents when the injury, sickness, disability or death is occasioned by any of the following:

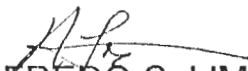
- a. By intoxication or drunkenness or vicious immoral habits, or intemperate use of regulated or prohibited drugs.
- b. By willful intention to injure or kill oneself.
- c. By notorious negligence.
- d. By unlawful aggression or provocation on the part of the PNP member.

Sec. 2. Administrative Sanction. - Any PNP member or his representative who, for the purpose of securing entitlement to any benefit or payment under these Rules, commits fraud, collusion, falsification, misrepresentation of facts or any other kind of anomaly shall be subject to criminal and administrative action this Commission may deem appropriate.

Sec. 3. Repealing Clause. - All rules and regulations, orders, or circulars issued by the Commission, which are inconsistent with the provisions of this Memorandum Circular, are hereby repealed, amended or modified accordingly.

Approved, this 3<sup>th</sup> day of June, in the Year Two Thousand in Makati City, Philippines.

This Rule shall take effect immediately.

  
ALFREDO S. LIM

Chairperson

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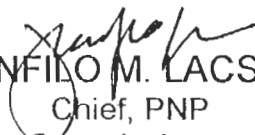
ASL

  
LEO S. MAGAHUM  
Commissioner

Vice Chairperson and Executive Officer

  
ROMEO L. CAIRME  
Commissioner

  
CLEOFE M. FACTORAN  
Commissioner

  
PANFILO M. LACSON  
Chief, PNP  
Commissioner

Attested By:

  
REYNALDO JD CUADERNO  
Deputy Executive Director