

Item No.: 13

Date: 26 2024 NOV



Republic of the Philippines  
PROVINCE OF LEYTE  
Provincial Capitol  
Tacloban City

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PROVINCIAL LEGAL OFFICE



2<sup>nd</sup> INDORSEMENT  
October 23, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2024-05 of the Sangguniang Bayan of Hindang, Leyte.

**Issues/concerns for review/recommendation/legal opinion is/are as follows:**

- Ordinance No. 2024-05 entitled: “An Ordinance PhilHealth Capitation Fund Disposition and Management from the proceeds of KONSULTA package in the Municipality of Hindang .”

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(a)(2)(i)<sup>1</sup> of the Local Government Code of 1991 (R.A 7160) in consonance with PhilHealth Circular No. 2024-0013<sup>2</sup>. Hence, we recommend the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

**ATTY. JOSE RAYMUND A. ACOL**  
Asst. Provincial Legal Officer 

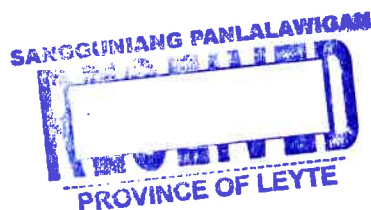
<sup>1</sup> (2) Generate and maximize the use of resources and revenues for the development plans, program objectives and priorities of the municipality as provided for under Section 18 of this Code ;

(i) Approve the annual and supplemental budgets of the municipal government and appropriate funds for specific programs, projects, services and activities of the municipality, or for other purposes not contrary to law, in order to promote the general welfare of the municipality and its inhabitants;

<sup>2</sup> “ Enhancement of the PhilHealth KonSulTa Benefit Package”

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN



1<sup>ST</sup> INDORSEMENT  
21 October 2024

Province of Leyte  
Legal Office  
*[Signature]*  
10. 21. 24

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2024-05** of the **Municipality of Hindang, Leyte**, entitled: An Ordinance on PhilHealth Capitation Fund Disposition and Management from the proceeds of Konsultasyong Sulit at Tama (KONSULTA) package in the Municipality of Hindang, Leyte.

*[Signature]*  
**FLORINDA JIL S. UYVICO**  
Secretary to the Sanggunian.



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF HINDANG  
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OFFICE OF THE SANGGUNIANG BAYAN

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10 October, 2024

**HON. LEONARDO M. JAVIER, JR.**  
*Vice Governor/Presiding Officer*  
*Sangguniang Panlalawigan*  
*Legislative Building*  
*Prov'l Government Complex*  
*Palo, Leyte*

**THRU: FLORINDA JILL S. UYVICO**  
*Secretary to the Sanggunian*  
*Sangguniang Panlalawigan*  
*Province of Leyte*

*Sir:*

I am submitting herewith to your office Sixteen (16) sets of **ORDINANCE No. 2024-05** of the Sangguniang Bayan, Hindang, Leyte, RE: *"An Ordinance on Philhealth Capitation Fund Disposition and Management from the proceeds of Konsultasyong Sulit at Tama (Konsulta) package in the Municipality of Hindang, Leyte"*, for review and approval.

Anticipating your favorable action on the matter.

Thank you.

  
**ANNABEL A. MABALE**  
*Secretary to the Sanggunian*



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF HINDANG



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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE SANGGUNIANG BAYAN OF  
HINDANG, LEYTE, IN ITS REGULAR SESSION HELD ON AUGUST 13, 2024 AT  
THE SB SESSION HALL

**ORDINANCE No. 2024-05**

*Sponsored by: Hon. Romulo D. Basanez*

**AN ORDINANCE ON PHILHEALTH CAPITATION FUND DISPOSITION AND  
MANAGEMENT FROM THE PROCEEDS OF KONSULTASYONG SULIT AT TAMA  
(KONSULTA) PACKAGE IN THE MUNICIPALITY OF HINDANG, LEYTE**

**Rationale:**

The Philippine Constitution declares as State policy to provide its territorial and political subdivisions genuine and meaningful local autonomy to enable them to attain their fullest development as self-reliant communities and as effective partners in the attainment of national goals. The State likewise declares that the vesting of duty, responsibility and accountability in Local Government Units shall be accompanied with provision for reasonably adequate resources to effectively carry out their functions. This priority program is aimed at "setting into motion a meaningful health care financing and delivery mechanism anchored on local government".

The DOH and Local Government Units (LGUs) shall endeavor to provide a health care delivery system that shall afford every Filipino a primary care provider, as defined in Section 4.26 of RA 11223, (Universal Health Care Act) Implementing Rules and Regulations. The accredited PhilHealth KonSulTa provider shall follow the PhilHealth KonSulTa Benefit Availment Process provided in PhilHealth Circular No. 2020-0022, "Implementing Guidelines for the PhilHealth Konsultasyong Sulit at Tama (PhilHealth KonSulTa) Package and PhilHealth Circular No. 2024-0013, "Enhancement of the PhilHealth KonSulTa Benefit Package.

**BE IT ORDAINED** by the Sangguniang Bayan of Hindang, Leyte in session assembled that:

**SECTION 1. TITLE** – This Ordinance shall be known as the "PhilHealth Capitation Fund Disposition and Management Ordinance".

**SECTION 2. PROVIDER PAYMENT MECHANISM**

1. PhilHealth shall pay an annual capitation released on performance
2. Capitation rates shall be set by PhilHealth and shall be paid in tranches using the Auto Credit Payment Scheme (ACPS)

*Romulo D. Basanez*

APK

*Alcantara*

**(ORDINANCE NO. 2024-05 of the Sangguniang Bayan of Hindang, Leyte, entitled: "PhilHealth Capitation Fund Disposition and Management Ordinance" of the Municipality of Hindang, Leyte, continued....)**

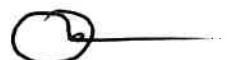
3. PhilHealth KonSulTa Package Benefit Reimbursement shall be credited to the LGU's Trust Fund Account No. 4162 0001 40, the same account where claim reimbursements for Maternity Care Package (MCP) and Tuberculosis Directly-Observed Treatment Short-course (TB DOTS) are credited. Accounting Office shall create a separate ledger for KonSulTa Benefit Reimbursements for monitoring purposes.
4. The PhilHealth KonSulTa Provider may charge fees from services and commodities not included in the benefit package and the rates shall be encoded through PhilHealth accredited Electronic Medical Record (EMR) or through the eKonSulTa System to be provided by PhilHealth until such time that the KonSulTa Provider has engaged with any of the PhilHealth's accredited EMR Provider.
5. In cases of any disagreement with the computed reimbursement, existing guidelines on the appeal and Motion for Reconsideration (MR) shall apply.

**SECTION 3. DISPOSITION AND ALLOCATION OF THE CAPITATION**

1. Capitation Fund received from PhilHealth KonSulTa Package shall be utilized to cover the following:
  - 1.1 Seventy Percent (70%) shall be spent for medicines, reagents, medical supplies, medical and office equipment, information technology equipment, capacity building for staff, social mobilization and social marketing, infrastructure and operational cost such as office supplies, office furnitures and fixtures, internet connection, accreditation and license fees, hiring of personnel for the implementation of PhilHealth KonSulTa Package necessary for the delivery of required service including referral fees for diagnostic services if not available in the facility.
  - 1.2 Thirty Percent Percent (30%) shall be used exclusively for the performance incentives of health personnel, non-health personnel, and volunteer health workers who are directly involved in the provision of Konsulta Package services. This is divided as follows:
    - 1.2.1 Ten Percent (10%) for physician
    - 1.2.2 Ten Percent (10%) for other health professional staff of the facility; and
    - 1.2.3 Five Percent (5%) for non-health professional
    - 1.2.4 Five Percent (5%) for volunteer health workers
2. PhilHealth shall not prescribe how capitation will be disbursed but rather leaves the disposition of the capitation fund with the Local Government Unit or Local Chief Executive prioritizing the operational cost and incentives of the people handling the transactions.



Atty. Q. Cabal



**(ORDINANCE NO. 2024-05 of the Sangguniang Bayan of Hindang, Leyte, entitled: "PhilHealth Capitation Fund Disposition and Management Ordinance" of the Municipality of Hindang, Leyte, continued...)**

**SECTION 4. SEPARABILITY CLAUSE:**

Should any provision, section or part of this ordinance be declared by competent authorities as invalid, the remaining provisions, sections, or part thereof remain to be in full force and effect.

**SECTION 5. REPEALING CLAUSE:**

Any previous ordinances, rules and regulations or part thereof that are in conflict with or consistent with the provisions of this ordinance are hereby repealed, amended or modified accordingly.

**SECTION 6. EFFECTIVITY:** This ordinance shall effect take immediately upon its approval.

ENACTED this 13th day of August, 2024 by this Sanggunian in its regular session held for the purpose at the SB Session Hall, this Municipality, with the following votes:

**Yes (8)**

**No (0)**

**Abstain (0)**

*(On leave)*

**MIKHAEL ANNE GELO D. ABOYME**  
*SB Member*

  
**LEONIDA A. CAVITE**  
*SB Member*

  
**ROMULO D. BASAÑEZ**  
*SB Member*

  
**BENEDICTO L. YANOLA**  
*SB Member*


  
**SERAFIN A. CAVERO**  
*SB Member*

**(ORDINANCE NO. 2024-05 of the Sangguniang Bayan of Hindang, Leyte, entitled: "PhilHealth Capitation Fund Disposition and Management Ordinance" of the Municipality of Hindang, Leyte, continued...)**

  
**SORIANO B. DELALAMON**  
*SB Member*

  
**SALVADOR E. BAÑEZ, JR.**  
*SB Member*

  
**JUN A. CABAL**  
*LNB Pres-Ex Officio Member*

  
**ADRIAN PAUL G. ASTORGA**  
*SK Federation Pres-Ex Officio Member*

**CERTIFIED CORRECT:**

  
**ANNABEL A. MABALE**  
*Secretary to the Sanggunian*

**ATTESTED TO BE DULY ADOPTED:**

  
**JOSE NAPOLEON D. MONTERO**  
*SB Member-Temporary*  
*Presiding Officer*

**APPROVED:**

  
**BETTY A. CABAL**  
*Municipal Mayor*



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF HINDANG

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OFFICE OF THE SANGGUNIANG BAYAN

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## CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY *that* ORDINANCE NO. 2024-05 of the Sangguniang Bayan, Hindang, Leyte, *"An ordinance : "An Ordinance on Philhealth Capitation Fund Disposition and Management from the proceeds of Konsultasyong Sulit at Tama (Konsulta) package in the Municipality of Hindang, Leyte"*, had been correspondingly posted in three (3) conspicuous places of the municipality as prescribed under the Local Government Code of 1991 otherwise known as Republic Act 7160.

GIVEN this 8th day of October, 2024 at Hindang, Leyte, Philippines.

  
ANNABEL A. MABALE  
*Secretary to the Sanggunian*