

PROVINCE OF LEYTE
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
PROVINCIAL ORDINANCE NO. _____
Series of 20_____

AN ORDINANCE ESTABLISHING THE PHILHEALTH TRUST FUND DISTRIBUTION SCHEME FOR ALL HOSPITALS ADMINISTERED AND MANAGED BY THE PROVINCIAL GOVERNMENT OF LEYTE, PROVIDING GUIDELINES FOR THE ALLOCATION, UTILIZATION, AND DISBURSEMENT OF PHILHEALTH REIMBURSEMENTS AND PROFESSIONAL FEES, AND FOR OTHER PURPOSES

Be it ordained by the Sangguniang Panlalawigan of the Province of Leyte in session assembled:

SECTION 1. Title.

This Ordinance shall be known as the **“Leyte Provincial PhilHealth Trust Fund Ordinance.”**

SECTION 2. Declaration of Policy.

It is hereby declared the policy of the Provincial Government of Leyte to:

- a. Promote accessible, affordable, and quality health care services to the people of Leyte and the Filipino people in general;
- b. Improve the quality of hospital services rendered to PhilHealth members, their dependents, and the public;
- c. Ensure the proper utilization, retention, and equitable distribution of PhilHealth reimbursements and professional fees in accordance with Republic Act No. 7875, as amended, and other existing laws, rules, and regulations;
- d. Provide additional incentives to medical and non-medical personnel directly or indirectly involved in the delivery of health services; and
- e. Establish a uniform distribution scheme for all hospitals administered and managed by the Provincial Government of Leyte.

SECTION 3. Legal Basis.

This Ordinance is enacted pursuant to:

- a. Article VII, Section 35 of Republic Act No. 7875, otherwise known as the “National Health Insurance Act of 1995,” as amended by Republic Act No. 9241;
- b. Section 52, Rule VIII of the Implementing Rules and Regulations of the National Health Insurance Program;
- c. Republic Act No. 7160, otherwise known as the “Local Government Code of 1991”; and
- d. Republic Act No. 7305, otherwise known as the Magna Carta for Health Workers
- e. Other applicable laws, rules, and regulations governing PhilHealth reimbursements and trust funds.

SECTION 4. Coverage.

This Ordinance shall apply to all provincial and district hospitals, infirmaries, and health facilities administered and managed by the Provincial Government of Leyte.

SECTION 5. Definition of Terms.

For purposes of this Ordinance:

- a. “PhilHealth Trust Fund” refers to all reimbursements for professional fees received from the Philippine Health Insurance Corporation (PhilHealth) by the province for all hospitals administered and managed by the Provincial Government of Leyte.
- b. “Professional Fee” refers to payments made by PhilHealth for professional services rendered by medical and allied health personnel.
- c. “Provincial PhilHealth Development Fund” refers to the portion of the PhilHealth Trust Fund allocated for hospital development, claims management systems, equipment acquisition, health workers incentives, and other expenses related to institutional improvements.

- d. "Health Worker" refers to all persons who are engaged in health and health-related work, and all persons employed in all hospitals, sanitarium, health infirmaries, health centers, rural health units, barangay health stations, clinics and other health-related establishments owned and operated by the Government or its political subdivisions with original charters and shall include medical, allied health professional, administrative and support personnel employed regardless of their employment status."
- e. "Medical Personnel" refers to physicians, nurses, midwives, medical technologists, pharmacists, and other allied health professionals employed or engaged by provincial hospitals.
- f. "Non-Medical Personnel" refers to administrative, technical, utility, and support personnel contributing directly or indirectly to hospital operations and PhilHealth services.

SECTION 6. Compliance with PhilHealth Policies.

All hospitals covered by this Ordinance shall comply with all applicable PhilHealth laws, circulars, policies, and reimbursement guidelines governing members, dependents, claims processing, and payment systems.

SECTION 7. Establishment of the PhilHealth Trust Fund.

All PhilHealth reimbursements for **Professional fees** received by the province of Leyte for all hospitals administered and managed by the Provincial Government of Leyte shall be deposited into a special trust fund to be known as the "Provincial Hospitals PhilHealth Trust Fund."

The Trust Fund shall be utilized exclusively for purposes authorized under this Ordinance and applicable national laws and regulations.

SECTION 8. Allocation and Distribution Scheme.

The Provincial Hospitals PhilHealth Trust Fund shall be allocated as follows:

A. Professional Fees – Eighty Percent (80%)

Eighty percent (80%) of the Trust Fund shall be distributed as professional fees and incentives for services rendered directly or indirectly to PhilHealth members and their dependents.

The distribution shall be as follows:

1. Eighty-Five Percent (85%) — for attending medical personnel in medical cases without assistant physician or nurse participation;
2. Seventy-Five Percent (75%) — for attending medical personnel in surgical cases with assistant physician/nurse participation and obstetric normal spontaneous delivery cases handled by nurse or midwife;
3. Ten Percent (10%) — for assistant physician/nurse in surgical cases and delivery room nurse or midwife who handled actual deliveries;
4. Five Percent (5%) — for the Chief of Hospital, Officers-in-Charge, or equivalent supervisory officials; and
5. Ten Percent (10%) — for pooled distribution among qualified medical personnel within the institution.

B. Provincial PhilHealth Development Fund – Twenty Percent (20%)

Twenty percent (20%) of the Trust Fund shall constitute the Provincial PhilHealth Development Fund to support programs, projects, and activities aimed at improving hospital services and PhilHealth systems.

SECTION 9. Utilization of the Provincial PhilHealth Development Fund.

The Provincial PhilHealth Development Fund may be used for, but not limited to, the following:

- a. Development and enhancement of PhilHealth member identification and hospital claims systems;
- b. Acquisition of materials, equipment, software, and technology related to claims processing and hospital operations;
- c. Monitoring and evaluation of PhilHealth claims and reimbursements;

- d. Implementation of hospital claims incentive schemes;
- e. Hiring of additional personnel necessary to sustain PhilHealth operations and claims systems; and
- f. Hiring of additional hospital staff to improve hospital services and patient care.

A. Incentive Scheme Under the Provincial PhilHealth Development Fund.

In support of Section 9(d) of this Ordinance concerning the implementation and monitoring of the PhilHealth Hospital Claims Incentive Scheme, a portion of the Provincial PhilHealth Development Fund may be utilized for the grant of management share, performance-based incentive, performance and renewal incentive, and special service incentives, subject to existing accounting and auditing laws, rules, and regulations.

B. Allocation of Management Share to the Adhoc and Monitoring Team.

Ten Percent (10%) of the 20% Provincial Philhealth Development Fund component of the Trust Fund shall be allocated monthly to the Provincial Health Officer II, and to the duly constituted Adhoc and Monitoring Team created through an Executive Order by the Provincial Governor.

The distribution shall be as follows:

- a. Fifty Percent (50%) shall be granted to the Provincial Health Officer II;
- b. Fifty Percent (50%) shall be equally divided among the remaining members of the Adhoc and Monitoring Team.

Only officially designated members pursuant to an Executive Order shall be entitled to receive such incentives.

C. Performance-Based Incentives for Adhoc and Monitoring Team Members and Chiefs of Hospitals.

Performance-based incentives may be granted to members of the Ad Hoc and Monitoring Team, and the Chiefs of Hospitals, in such amounts and under such terms and conditions as may be determined by the Provincial Governor through an Executive Order. The Executive Order shall provide for the incentive scheme, including qualifications, performance standards, criteria and guidelines for the computation, distribution, and release of the incentives to the aforementioned health workers.

D. Performance and Renewal Incentives for PRC-Licensed Job Order Personnel.

PRC-licensed Job Order personnel assigned in provincial hospitals, including but not limited to Nurses, Medical Technologists, Laboratory Technicians, Radiologic Technologists, Midwives, Pharmacists, Social Workers, and other PRC-licensed professionals performing functions related to their profession, may be granted a Performance and Renewal Incentive in such amounts and under such terms and conditions as may be determined by the provincial governor through an Executive Order. The Executive Order shall provide the criteria, qualifications, performance standards and guidelines for the release of such incentive.

E. Mobile Surgical Team Incentives.

Additional incentives may be granted to Surgeons, ENT/EENT Specialists, and Anesthesiologists belonging to duly constituted Mobile Surgical Teams who perform emergency and elective surgical procedures in hospitals other than their mother hospitals, under the provincial government of Leyte, in such amounts and under such terms and conditions as may be determined by the provincial governor through an Executive Order. The Executive Order shall provide the incentive scheme, including the qualifications, performance standards, criteria and guidelines for the grant of such incentive.

F. Incentives for Surgeons, OB- Surgery, and Anesthesiologist

Additional incentives may be granted to Surgeons, including OB-Surgery, and Anesthesiologists of the district hospitals under the provincial government of Leyte, who perform emergency and elective surgical procedures in their respective hospitals, in such amounts under such terms and conditions as may be determined by the provincial governor through an Executive Order. The Executive Order shall provide the incentive scheme, including the qualifications, performance standards, criteria and guidelines for the release of such incentive.

G. Incentives for Visiting Consultants.

Surgeons under contract as Visiting Consultants who perform emergency and elective surgical procedures on admitted patients during on-call duty may also be granted additional incentives in such amounts and under such terms and conditions as may be determined by the provincial governor through an Executive Order. The Executive Order shall provide the criteria, qualifications, performance standards and guidelines for the release of such incentive.

H. Incentive for Philhealth Processors, PHILHELP and PHILLINK Staff

Additional incentive may also be granted to Philhealth processors, PHILHELP, and PHILLINK staff in such amounts and in such conditions as may be determined by the provincial governor through an Executive Order. The Executive Order shall provide for the incentive scheme, including the qualifications, performance standards, criteria and guidelines for the computation, distribution and release of the incentive to qualified employees.

I. Authority to Issue Supplemental Guidelines.

The Provincial Governor, upon recommendation of the Provincial Health Adhoc Committee, may issue supplemental rules, guidelines, and implementing measures necessary for the effective implementation of the incentive schemes provided under this Ordinance, subject to existing laws, auditing rules, and budgetary limitations.

SECTION 10. Provincial Health Adhoc Committee.

There is hereby created a Provincial Health Ad hoc Committee, whose members shall be appointed by the provincial governor, consisting of a Chairperson, members, and a Hospital Monitoring Team.

The Committee shall:

- a. Oversee the implementation of this Ordinance;
- b. Recommend policies and measures to improve PhilHealth services and hospital operations and management;
- c. Review and monitor the utilization of the Trust Fund; and
- d. Submit periodic reports to the Provincial Governor.

SECTION 11. Disbursement and Accounting.

Disbursement of funds under this Ordinance shall be subject to existing accounting, auditing, and budgeting laws, rules, and regulations.

The Provincial Accounting Office and Provincial Treasurer's Office shall ensure the timely release and proper accounting of all incentives and authorized expenditures.

SECTION 12. Implementing Rules and Regulations.

Within sixty (60) days from the effectivity of this Ordinance, the Provincial Governor, through the Provincial Hospitals Management Committee and concerned offices, shall promulgate the necessary Implementing Rules and Regulations (IRR).

SECTION 13. Separability Clause.

If any provision of this Ordinance is declared unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

SECTION 14. Repealing Clause.

All ordinances, executive orders, rules, regulations, and issuances inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 15. Effectivity

This Ordinance shall take effect fifteen (15) days after publication in a newspaper of local circulation or posting in conspicuous places in the Province of Leyte in accordance with law.

ENACTED this ____ day of _____ 20____ at the Sangguniang Panlalawigan Session Hall, Legislative Building, Tacloban City.