



**EXCERPTS FROM THE MINUTES OF
THE SECOND (2nd) REGULAR COMMISSION MEETING,
EMPLOYEES' COMPENSATION COMMISSION AND OCCUPATIONAL
SAFETY AND HEALTH CENTER, SERIES OF 2016,
*Convened at Ichikawa Hall, OSHC Bldg. Agham cor. North Ave, Quezon City
Monday, 29 February 2016 at 12:00 NN***

BOARD RESOLUTION NO. 16-02-09

***Revising the Conditions for the Compensability of Pneumonia under Annex A
of the Amended Rules on Employees' Compensation (EC)***

WHEREAS, Article 167 of Presidential Decree 626, as amended, partly provides that ".....the Commission is empowered to determine and approve occupational diseases and work-related illness that may be considered compensable based on peculiar hazards of employment.";

WHEREAS, on September 27, 2012 the Commission issued Board Resolution No. 12-09-18 amending the conditions for the compensability of Pneumonia in Annex A, P.D. 626 as follows:

21. Pneumonia: Any of the following conditions:

- a. There must be a direct connection between the offending agent or event and the worker based on epidemiologic criteria and occupational risk (e.g. health care workers exposed to outbreaks such as SARs, bird handlers exposed to Cryptococcus);
- b. Pneumonia as a complication of a primary work-connected illness or injury (e.g. as a complication of injury to the chest wall with or without rib fracture that was sustained at work.
- c. Pneumonia as a complication of chemical inhalational exposure such as among welders exposed to iron fumes.
- d. Clinical diagnosis consistent with the signs and symptoms of pneumonia supported by diagnostic proof such as chest x-ray and / or microbiologic studies (e.g. blood cultures).

WHEREAS, during the Technical Review Committee (TRC) meeting on EC appealed cases on May 13, 2015, the TRC members, after deliberating on an

appealed EC claim for pneumonia, recommended a review of the conditions for compensability of pneumonia under Annex A of P.D. 626, as amended, particularly condition (d) on "Clinical diagnosis consistent with the signs and symptoms of pneumonia supported by diagnostic criteria such as chest x-ray, and/ or microbiologic studies (e.g. blood cultures)", analyzing that satisfaction of such condition alone allows compensation of pneumonia regardless of causation.

WHEREAS, on February 25, 2011, this Commission issued Board Resolution No. 11-12-09 creating a Technical Review Panel to review the conditions for compensability of occupational and work-related diseases under Annex A of the Amended Rules on Employees Compensation and the Panel has since recommended the updating of the conditions for compensability of several occupational and work-related diseases;

WHEREAS, the Technical Review Panel (TRP), composed of medical experts and leaders of medical professional groups and medical specialty societies, medical officers representing the government and medical evaluators of the Systems, met last August 2015 and has deliberated and recommended the updating of the conditions for compensability of Pneumonia as follows:

21. Pneumonia - clinically diagnosed and consistent with the history, signs and symptoms of Pneumonia supported by diagnostic proof such as chest x-ray, CBC, and/ or microbiologic studies (e.g. blood cultures) is compensable in any of the following conditions:
 - a. There must be a direct connection between the offending agent or event and the worker based on epidemiologic criteria and occupational risk (e.g. health care workers exposed to outbreaks such as SARs, bird handlers exposed to *Cryptococcus*);
 - b. Pneumonia as a complication of a primary work-connected illness or injury (e.g. as a complication of injury to the chest wall with or without rib fracture that was sustained at work.
 - c. Pneumonia as a complication of chemical inhalational exposure such as among welders exposed to iron fumes.

WHEREAS, the proposed revised amendments on the conditions for compensability of pneumonia was presented in a tripartite consultation meeting on February 12, 2016 with representatives from the Occupational Health Nurses Association of the Philippines (OHNAP), Social Security System (SSS), Government Service Insurance System (GSIS); the Occupational Safety and Health Center (OSHC), the Bureau of Working Conditions (BWC), the Lung Center of the Philippines, Philippine Government Employees Association (PGEA), and the Employer's Confederation of the Philippines (ECOP) in attendance.

WHEREAS, the representatives in the tripartite consultation meeting, after due deliberation, recommended the approval and adoption of the proposed revised conditions for compensability of pneumonia under Annex A of P.D. 626, as amended.

NOW THEREFORE, ON MOTION DULY MADE AND SECONDED

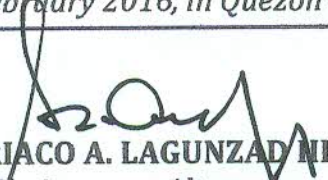
This Commission **RESOLVES** as it hereby **RESOLVED** to revise the conditions for the compensability of pneumonia in Annex A, P.D. 626, as amended, as follows:

21. Pneumonia - clinically diagnosed and consistent with the history, signs and symptoms of Pneumonia supported by diagnostic proof such as chest x-ray, CBC, and/ or microbiologic studies (e.g. blood cultures) is compensable in any of the following conditions:


- a. There must be a direct connection between the offending agent or event and the worker based on epidemiologic criteria and occupational risk (e.g. health care workers exposed to outbreaks such as SARs, bird handlers exposed to Cryptococcus);
- b. Pneumonia as a complication of a primary work-connected illness or injury (e.g. as a complication of injury to the chest wall with or without rib fracture that was sustained at work);
- c. Pneumonia as a complication of chemical inhalational exposure such as among welders exposed to iron fumes.

RESOLVED FINALLY, that upon issuance of the Board Resolution, the same shall take effect fifteen days after its publication in a newspaper of general circulation and copy of the said Board Resolution be furnished to the Systems for guidance and compliance.

DONE, this 29th day of February 2016, in Quezon City, Philippines.


CIRIACO A. LAGUNZAD III
Chairperson-Alternate

Department of Labor and Employment


BRENDA P. VIOLA
Member-Designate
Social Security System


DIONISIO C. EBDANE, JR.
Member-Designate
Government Service Insurance System



CARLITO P. ROBLE
Member
Employees' Sector

ABSENT
MIGUEL B. VARELA
Member
Employers' Sector



ALEXANDER A. PADILLA
Member-Designate
Philippine Health Insurance Corporation

ABSENT
ROBERT S. MARTINEZ
Member-Designate
Civil Service Commission



STELLA ZIPAGAN-BANAWIS
Member
Employees' Compensation Commission - Secretariat