

2018 RECEIPT of SC CASES ENTRY OF JUDGMENT

TITLE OF THE CASE	DECISIONS OF THE SYSTEM OF ORIGIN AND THE COMMISSION	SC RULING
<p>Estelita G. Calimag v. SSS G.R. No. 230790, 03 July 2017</p> <p>Date of Receipt by the ECC of Copy of Entry of Judgment: 13 September 2018</p> <p>Nature of Claim: Death Benefit Claim due to: Myocardial Infarction</p> <p>Occupation of the Covered Member: Mechanic of Atin Marketing</p>	<p>SSS Decision: No causal relationship; Member's history of uncontrolled hypertension and smoking were contributory factors for her death</p> <p>Commission' Decision: Affirmation of System's decision of denial (27 February 2015)</p> <ul style="list-style-type: none"> • There is no showing that the deceased was subjected to unusual strain at work when he experienced incessant cough and profuse perspiration while on duty • Thus, atherosclerosis, a common disorder of the arteries; yellowish plaques of cholesterol, fats, and other remains are deposited in the walls of large and medium-sized arteries; usually occurs with aging; it is often linked to over-weight, high-blood pressure, and diabetes [Signet/Mosby Medical Encyclopedia], which was enhanced by the cigarette smoking history of the deceased, caused the manifestation of her husband's Myocardial Infarction. 	<p>The Supreme Court affirms the decision of the Court of Appeals where the latter affirms the decision of SSS and the Commission reasoning that:</p> <ul style="list-style-type: none"> ✚ Probability, not the ultimate degree of certainty, is the test of proof in compensation proceedings. And probability must be reasonable; hence, it should, at least, be anchored on credible information. Moreover, a mere possibility will not suffice; a claim will fail if there is only a possibility that the employment caused the disease.¹ ✚ A physician's report would have been the best evidence of work-connection of workmen's ailments. Medical evidence is particularly vital where the causal connection is not clearly apparent to an ordinary person or readily observable or discoverable without medical examination for it is not the Court's task to determine where the connection lies.² ✚ Here, the absence of any medical information stating that the deceased's illness could have been caused or aggravated by his work reduces the petitioner's claim of work connection to

¹ GSIS v. Cuntapay, G.R. No. 168862, 30 April 2008

² Id. citing the case of Limbo v. ECC, G.R. No. 146891, 20 July 2002

		a mere possibility. Such deficiency restrains this Court from concluding that the deceased's illness is compensable
<p>SSS v. Rodolfo D. Sawi G.R. No. 213369, 09 August 2017</p> <p>Date of Receipt by the ECC of Copy of Entry of Judgment: 13 September 2018</p> <p>Nature of Claim: Disability Benefit Claim due to: Pulmonary Tuberculosis</p> <p>Occupation of the Covered Member: Junior Foreman Central Azucarera de Tarlac</p>	<p>SSS Decision: No causal relationship; Member's smoking habit and Diabetes mellitus has increased the risk of contracting Pulmonary Tuberculosis</p> <p>Commission' Decision: Affirmation of System's decision of denial:</p> <ul style="list-style-type: none"> • Appellant's diabetic condition predisposed him to contract Pulmonary Tuberculosis. • Medical science has already established that diabetics are prone to various bacterial infections. As provided in the following medical findings: • What has been established is that the appellant has been suffering from Diabetes Mellitus and Pulmonary Tuberculosis. • No less than the Philippine Diabetes Association (PDA) opined that Diabetes Mellitus is a genetically inherited disorder. Although its onset may be precipitated by stress, it generally occurs in individuals with a family history of diabetes. 	<p>The Supreme Court affirms the decision of the Court of Appeals where the latter reverse the decision of SSS and the Commission reasoning that:</p> <ul style="list-style-type: none"> ✚ 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. <ul style="list-style-type: none"> • What the law requires is reasonable work-connection and not a direct causal relation. It is enough that the hypothesis on which the workmen's claim is based is probable... Probability, not certainty is the touchstone.³ ✚ Here, it is not disputed that petitioner Sawi's work as a Junior Foreman of Central Azucarera de Tarlac, a factory complex, required him to exposed to various chemicals and harmful elements relative to sanitation, garbage collection and disposal, other hauling activities and checking sanitary facilities for maintenance and repair. ✚ As aptly argued by petitioner, fatigue as well

³ GSIS v. De Guzman, G.R. No. 173049, May 21, 2009

		<p>as constant exposure to harsh working conditions since his employment with the factory in 1977 had an adverse impact on his health making him easily susceptible to pulmonary tuberculosis.</p>
<p>Eduardo L. Alvarez <i>et al.</i>, v. GSIS G.R. No. 211778, August 07, 2017</p> <p>Date of Receipt by the ECC of Copy of Entry of Judgment: 18 October 2018</p> <p>Nature of Claim: Disability Benefit Claim due to: End-Stage Renal Disease secondary to Diabetic Nephropathy; Hypertensive Cardiovascular Disease (HCVD)</p> <p>Occupation of the Covered Member: Associate Professor of the University of Eastern Philippines</p>	<p>GSIS Decision: No causal relationship; Claimed ailment, End-Stage Renal Disease, is a complication of Diabetes Mellitus which is an inherited illness</p> <p>Commission’s Decision: Affirmation of System’s decision of denial (01 March 2019)</p> <ul style="list-style-type: none"> ▪ End-stage renal disease is not work-related; ▪ Caused by her diabetes mellitus which is a genetically inherited metabolic disorder ▪ Diabetic nephropathy is a complication inked to her diabetic condition ▪ Hypertension is likewise due to her diabetes mellitus. 	<p>The Supreme Court affirms the decision of the Court of Appeals where the latter reverse the decision of GSIS and the Commission reasoning that:</p> <ul style="list-style-type: none"> ✚ 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. <ul style="list-style-type: none"> • What the law requires is reasonable work-connection and not a direct causal relation. It is enough that the hypothesis on which the workmen’s claim is based is probable... Probability, not certainty is the touchstone.⁴ ✚ P.D. No. 626 is a specie of social legislation. Its primary purpose is to provide meaningful protection to the ordinary worker against the perils of disability, the hazards of illness, and hardships of other contingencies which may result in the loss of income. It seeks to give full force and effect to the

⁴ GSIS v. De Guzman, G.R. No. 173049, May 21, 2009

		policy of the State of giving maximum aid and protection to labor. ⁵
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⁵ Jaime Barrios v. Employees' Compensation Commission et al., G.R. No. 148089, March 24, 2006