



Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
EMPLOYEES' COMPENSATION COMMISSION
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BOARD RESOLUTION NO. 11-05-13
AMENDING THE CONDITIONS FOR COMPENSABILITY
OF CARDIOVASCULAR DISEASES, ESSENTIAL HYPERTENSION,
AND CEREBROVASCULAR ACCIDENTS UNDER ANNEX "A"
OF THE AMENDED RULES ON EMPLOYEES' COMPENSATION

WHEREAS, Article 167 (I) of P.D. No. 626, as amended, partly provides:

"...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, Article 177 (c) empowers this Commission to approve rules and regulations governing the processing of EC claims;

WHEREAS, pursuant to the policy of the Commission for the continuous upgrading of the benefit structure for workers through the updating on the conditions for compensability of occupational diseases and work-related illnesses under Annex "A" of the Amended Rules on Employees Compensation and due to recent trends and developments in the field of Occupational Medicine, this Commission finds it necessary to amend the prevailing conditions for the compensability of Cardiovascular Diseases, Essential Hypertension, and Cerebrovascular Accidents;

WHEREAS, the representatives from the Trade Union of the Philippines (TUCP), Association of Marine Officers and Seamen's Union of the Philippines (AMOSUP), Federation of Free Workers (FFW), Employers Confederation of the Philippines (ECOP), Bureau of Working Conditions (BWC), Occupational Safety and Health Center (OSHC), Social Security System (SSS), Government Service Insurance System (GSIS), Civil Service Commission (CSC), Philippine Government Employees' Association (PGEA), Pilipinas Shell, Philippine College of Occupational Medicine (PCOM) and other leaders of the medical profession and medical specialty societies have unanimously recommended the approval and adoption by the Commission of the amendments on the conditions for compensability of Cardiovascular Diseases, Essential Hypertension, and Cerebrovascular Accidents;

ON MOTION DULY MADE AND SECONDED

This Commission **RESOLVES** to amend the conditions for compensability of Cardiovascular Diseases, Essential Hypertension, and Cerebrovascular Accidents under Annex "A" of the Amended Rules on Employees' Compensation and the same shall now read as follows:

OCCUPATIONAL AND WORK-RELATED DISEASES¹

General Conditions:

For an occupational or work-related disease and the resulting disability or death to be compensable, all of the following conditions must be satisfied:

1. The employee's work and/ or the working conditions must involve risk/s **that caused the development of the illness;**
2. The disease was contracted as a result of the employee's exposure to the described risks;
3. The disease was contracted within a period of exposure and under such factors necessary to contract it;
4. There was no deliberate act on the part of the employee to disregard the safety measures or ignore established warning or precaution;

The employer shall require pre-employment examination of all prospective employees; provide periodic medical examination to employees who are exposed to occupational diseases and take such other measures as may be necessary pursuant to Rule III, Section 2 (b) of the Implementing Rules of P.D. 626, as amended.

The employer shall provide data such as work environment measurement reports on health hazards and other information that may be deemed necessary by the Systems or Commission in the determination of causal relationship between the employee's work and his disability or death.

The employer in consultation with the union whenever applicable shall implement OSH and wellness programs such as physical fitness program, healthy nutrition program, stress management program and other programs required by existing legislation, guidelines and issuances to prevent occupational and work-related diseases. The employer shall include information and advocacy of PD 626 in the OHS programs and support the employee deserving of compensation and rehabilitation benefits.

The employer who has failed to provide adequate protection and safety devices shall be subject to the penalty imposed by Article 200 of the Code. Where he has provided adequate protective and safety devices, there shall be a determination as to whether or not the employee has been notoriously negligent.

¹ ILO definition: Occupational Disease has a strong relationship to occupation generally with one causal agent and is recognized as such. Work-related Disease has multiple causal agents and factors in the work environment and other risk factors may play a role in the development of the disease.

The following diseases are considered as occupational or work-related when contracted under working conditions involving the risks described herein

18. **CARDIO-VASCULAR DISEASES.** ***** Any of the following conditions:

- a. If the heart disease was known to have been present during employment, there must be proof that an acute exacerbation was clearly precipitated by the unusual strain by reasons of the nature of his work.
- b. The strain of work that brings about an acute attack must be of sufficient severity and must be followed within 24 hours by the clinical signs of a cardiac insult to constitute causal relationship.
- c. If a person who was apparently asymptomatic before being subjected to strain at work showed signs and symptoms of cardiac impairment during the performance of his work and such symptoms and signs persisted, it is reasonable to claim a causal relationship subject to the following conditions:
 1. If a person is a known hypertensive, it must be proven that his hypertension was controlled and that he was compliant with treatment.
 2. If a person is not known to be hypertensive during his employment, his previous health examination must show normal results in all of the following, but not limited to: blood pressure, chest X-ray, electrocardiogram (ECG)/ treadmill exam, CBC and urinalysis.
- d. A history of substance abuse must be totally ruled out.

19. **CEREBRO-VASCULAR ACCIDENTS.** ***** Any of the following conditions:

- a. There must be proof that the acute stroke must have developed as a result of the stressful nature of work and pressures inherent in an occupation.
- b. The strain of work that brings about an acute stroke must be of sufficient in severity and must be followed within 24 hours by the clinical signs of an acute onset of neurological deficit to constitute causal relationship.
- c. If a person who was apparently asymptomatic before being subjected to strain at work showed signs and symptoms of an acute onset of neurologic deficit during the performance of his work, and such symptoms and signs persisted, it is reasonable to claim a causal relationship.
- d. There was a history, which should be proven, of unusual and extraordinary mental strain or event, or trauma to or hyperextension of the neck. There must be a direct connection between the insult in the course of the employment and the worker's collapse.
- e. If the neck trauma or exertion then and there caused either a brain infarction or brain hemorrhage as documented by neuro-imaging studies, the injury may be considered as arising from work.
- f. If a person is a known hypertensive, it must be proven that his hypertension is controlled and that he was compliant with treatment.
- g. A history of substance abuse must be totally ruled out.

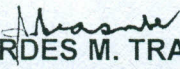
29. **ESSENTIAL HYPERTENSION *******

Hypertension classified as primary or essential is considered compensable if it causes impairment of the function of body organs like the kidneys, eyes and brain, resulting in any kind of disability, **subject to the submission of any of the following:**


- a. Chest X-ray report
- b. Electrocardiograph (ECG) report
- c. Blood chemistry report
- d. Fundoscopy report,
- e. Ophthalmologic evaluation
- f. Computed tomography scan (C-T scan)
- g. **Magnetic resonance imaging (MRI)**
- h. **Magnetic resonance angiography (MRA)**
- i. **Two dimensional echocardiography (2-D Echo)**
- j. Kidney ultrasound
- k. BP monitoring report

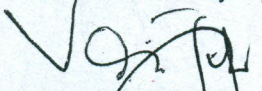
This Commission **RESOLVES, AS IT HEREBY RESOLVES FINALLY**, that copies of this Resolution be duly furnished the SSS and the GSIS for their information and proper guidance.

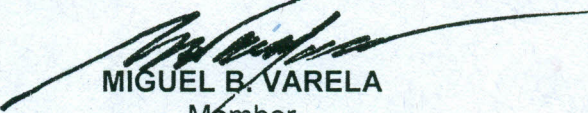
APPROVED in the City of Makati, this 26th day of May 2011.

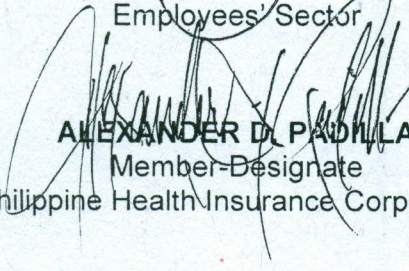

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