



Republic of the Philippines  
DEPARTMENT OF LABOR AND EMPLOYMENT  
**EMPLOYEES' COMPENSATION COMMISSION**  
4<sup>th</sup>& 5<sup>th</sup> Floors, ECC Building, 355 Sen. Gil J. Puyat Avenue, City of Makati

Tel. No. 899-4251; 899-4252 • Fax. No. 897-7597 • E-mail: info@ecc.gov.ph • Website: http://www.ecc.gov.ph



Ika-29 ng Mayo 2017

**G. EDUARDO A. ARAGONES**  
Brgy. Linusungan  
San Marcelino, Zambales, 2207  
GL-19624-0502-17

Mahal naming **G. ARAGONES**:

Ito po ay may kinalalaman sa inyong kahilingang benepisyo sa ilalim ng Employees' Compensation Law (P.D. 626, as amended).

Nais po naming ipabatid sa inyo na noong ika-11 ng Mayo 2017, nagkaroon po ng desisyon ang tanggapanang ito na pagbigyan ang inyong kahilingan. Ang GSIS na lamang po ang magbibigay ng inyong karampatang benepisyo.

Mangyari lang po na ipag-bigay-alam ninyo sa aming tanggapan kung natanggap na po ninyo ang inyong kaukulang benepisyo sa loob ng tatlungtung (30) araw matapos po ninyong tanggapin ang kopya ng desisyon.

Maraming salamat po.

Lubos na sumasainyo,

  
**STELLA ZIPAGAN-BANAWIS**  
Executive Director



Republic of the Philippines  
DEPARTMENT OF LABOR AND EMPLOYMENT  
**EMPLOYEES' COMPENSATION COMMISSION**  
4<sup>th</sup> & 5<sup>th</sup> Floors, ECC Building, 355 Sen. Gil J. Puyat Avenue, City of Makati

Tel. No. 899-4251; 899-4252 • Fax. No. 897-7597 • E-mail: info@ecc.gov.ph • Website: http://www.ecc.gov.ph



May 29, 2017

**ATTY. DIONISIO C. EBDANE, JR.**  
Senior Vice-President, Vis - Min  
Operations Group  
**GOVERNMENT SERVICE INSURANCE SYSTEM**  
New Headquarters, Reclamation Area,  
Financial Center, Roxas Blvd., Pasay City

Dear **Atty. EBDANE, JR.:**

We are transmitting herewith the entire record of the case of:

**EDUARDO A. ARAGONES vs. GSIS**  
**ECC CASE No. GL-19624-0502-17**

The decision in the above-entitled case is a **REVERSAL** of the decision of the System and the same is accordingly transmitted to that office for enforcement. Pursuant to Article 182 (a) of P.D. 626 as amended, all awards granted by the Commission in cases appealed from the decisions of the System shall be effected "**within fifteen (15) days from receipt of notice thereof.**"

This case was resolved through Board Resolution (BR) No. 17-05-19 dated May 11, 2017.

Very truly yours,

  
**STELLA ZIPAGAN-BANAWIS**  
Executive Director

cf:

**Mr. EDUARDO A. ARAGONES**  
Brgy. Linusungan  
San Marcelino, Zambales, 2207  
GL-19624-0502-17



**EDUARDO A. ARAGONES,**  
*Appellant,*

**-versus-**

**ECC CASE No. GL-19624-0502-17**

**GOVERNMENT SERVICE  
INSURANCE SYSTEM (GSIS),**  
*Appellee.*

x.....x

## **D E C I S I O N**

This appeal seeks to review the Decision, dated April 6, 2017, of the Government Service Insurance System (GSIS) denying the claim for EC disability benefits of the appellant due to gunshot wound at his left-eye which he sustained during a military operation at Talipao, Sulu on January 17, 1980. The claim was denied on the ground of prescription.

On February 1, 1979, the appellant, Staff Sergeant (SSgt.) Eduardo A. Aragones (Phil. Army [PA]), 40 years old at the time of the filing of the claim and a resident of San Marcelino, Zambales, entered the military service as Private. In the course of his military career, the appellant was promoted to the rank of Private First Class (Pfc.), Corporal (Cpl.), Sergeant (Sgt.), and, eventually, as Staff Sergeant (SSgt.).

The claimed incident was narrated by the GSIS on its letter-transmittal dated April 6, 2017 in this manner, to wit

“On January 17, 1980, a battalion size led by LTC. Ranjo and includes by then Pvt. Aragones encountered the MNLF Group while on combat patrol at Mt. Mahala, Talipao, Sulu. Pvt. Aragones was wounded in action and sustained a gunshot wound at his left eye.”

Medical records reveal that the appellant had a series of confinements in military hospitals due to Traumatic Cataract and gradual loss of vision in his left eye.

On April 10, 1996, until March 10, 1997, the appellant was detailed at the V. Luna General Hospital, Quezon City. He was diagnosed to be suffering from Aphakia, post-surgical; Incipient Cataract, OD. On April 10, 1997, he was discharged from the military service due to blindness in his left-eye.



On April 15, 1997, the appellant filed a claim for EC disability benefits before the GSIS). On June 27, 1997, the GSIS Quezon City Branch I (Military) issued its Legal Evaluation which partly states the following:

“Subject [appellant] was wounded in action [eye injury due to shrapnel wound] during an encounter with about eighty (80) heavily armed MNLF under Comdrs. Mustapha Biao and Bakeng Buklasan on aforementioned date, time, and place [Jan. 17, 1980, 3:30 PM, Mt. Mahala, Talipao, Jolo, Sulu.

“... the same was filed only on April 15, 1997 or after the lapse of more than the three (3) year statutory limitation prescribed within which to file a claim, we regret that the claim cannot be acted upon favorably pursuant to Art. 201 of the Amended Rules on EC.”

On July 7, 1997, the GSIS wrote a letter to the appellant informing him of the denial of the claim on the ground of prescription. In the said letter, the GSIS states that the claimed incident occurred in 1980 but the claim was filed only on April 15, 1997. On August 12, 1997, the appellant wrote a letter to the GSIS requesting for reconsideration of the denial of the claim. In his letter, the appellant states that he was unaware of the prescriptive period. On August 28, 1997, the GSIS wrote another letter to the appellant reiterating the previous denial of the claim.

On March 21, 2017, the appellant wrote a letter to President Rodrigo Roa Duterte requesting for assistance on his request for disability pension. On March 21, 2017, the Office of the President-Presidential Complaint Center endorsed the said letter to Atty. Nora M. Saludaes, Officer-in-Charge, Office of the President and General Manager, GSIS, for appropriate action.

On April 26, 2017, the Secretariat received the records of the case from the GSIS with the following recommendation:

“We are therefore reiterating the disapproval of Mr. Aragon’s claim under PD 626 because his claim was submitted to the System past the prescriptive period of three (3) years (Article 201, Prescriptive Period, PD 626).”

On April 26, 2017, the Secretariat received the records of the case from the SSS for review purposes. On May 5, 2017, this case was submitted to the Technical Review Committee (Committee) for initial deliberation. The Committee decided to elevate this case with a recommendation to grant EC disability benefits to the appellant considering that the claim was filed within the three-year prescriptive period from the date of the retirement of the appellant. Further, the blindness in his left-eye is a complication of the shrapnel wound sustained by the appellant during a military operation against the rebels in 1980.

***The appeal is meritorious.***

**Proximate cause; Prevailing Jurisprudence; all medical consequences that flow from the primary injury are compensable**

In the 1990 case of *Manuel Belarmino vs. Employees' Compensation Commission* citing the cases of *Enriquez v. WCC*, 93 SCRA 366, 372, *Bataclan vs. Medina*, 102 Phil. 181, and *Atlantic Gulf vs. Insular Government*, 10 Phil. 166,171, the Supreme Court held that:

"...The illness, septicemia post-partum which resulted in the death of Oania Belarmino, is admittedly not listed as an occupational disease in her particular line of work as a classroom teacher. However, as pointed out in the petition, her death from that ailment is compensable because an employment accident and the conditions of her employment contributed to its development. The condition of the classroom floor caused Mrs. Belarmino to slip and fall and suffer injury as a result. The fall precipitated the onset of recurrent abdominal pains which culminated in the premature termination of her pregnancy with tragic consequences to her. Her fall on the classroom floor brought about her premature delivery which caused the development of post-partum septicemia which resulted in death. Her fall therefore was the proximate or responsible cause that set in motion an unbroken chain of events, leading to her demise.

" . . . what is termed in American cases the proximate cause, not implying however, as might be inferred from the word itself, the nearest in point of time or relation, but rather, [is] **the efficient cause, which may be the most remote of an operative chain. It must be that which sets the others in motion and is to be distinguished from a mere preexisting condition** upon which the effective cause operates, and must have been adequate to produce the resultant damage without the intervention of an independent cause. (*Atlantic Gulf vs. Insular Government*, 10 Phil. 166, 171)

"The proximate legal cause is that acting first and producing the injury, either immediately or by setting other events in motion, all constituting a natural and continuous chain of events, each having a close causal connection with its immediate predecessor the final event in the chain immediately effecting the injury as a natural and probable result of the cause which first acted, under such circumstances that the person responsible for the first event should, as an ordinarily prudent and intelligent person, have reasonable ground to expect at the moment of his act or default that an injury to some person might probably result therefrom. (*citing the case of Bataclan v. Medina*, 102 Phil. 181.)

"...**Verily, the right to compensation extends to disability due to disease supervening upon and proximately and naturally resulting from a compensable injury** (82 Am. Jur. 132). Where the primary injury is shown to have arisen in the course of employment, every natural consequence that flows from the injury likewise arises out of the employment, unless it is the result of an independent intervening cause attributable to complainants own negligence or misconduct (I Larson Workmen's Compensation Law 3-279 [1972]). Simply stated, **all the medical consequences and sequels that flow from the primary injury are compensable.** (emphasis supplied)

**Prescription; the prescriptive period for filing compensation claims should be reckoned from the time the employee lost his earning capacity**

In the case of *Employees' Compensation Commission vs. Edmund Sanico* (G.R. No. 134028, December 17, 1999), the Supreme Court emphasized that:

xxx

“...the prescriptive period for filing compensation claims should be reckoned from the time the employee lost his earning capacity, i.e., terminated from employment, due to his illness and not when the same first became manifest.”

**On the appropriate instances and opportunities of uniformed personnel to file an EC claim**

Consistent to this ruling, this Commission issued *Circular No. 04-007 (“Clarifying the Prescriptive Period in the Evaluation of EC Claims due to Sickness of Uniformed Personnel*, dated April 28, 2014) which partly provides:

xxx

**“1. On Active Duty**

“In case of multiple confinements for the same illness, the three-year prescriptive period shall be counted from the time the uniformed personnel was last confined in a hospital or from the time he/she was temporarily unable to report for active duty due to the said illness , whichever is applicable.

“In case of single confinement or out-patient, the three-year prescriptive period shall be counted from the time the uniformed personnel was not able to report for active duty due to sickness.

**“2. Honorable Discharge from Active Duty**

***“The three-year prescriptive period shall commence from the time the uniformed personnel was honorably discharged from active duty due to an illness.” (emphasis supplied)***

It is clear from the Circular that the reckoning period to determine the prescription of the claim shall be on the date when the uniformed personnel was honorably discharged from active duty due to an illness. While the Circular was yet to take effect at the time the appellant filed his claim or was discharged from service, the principles enunciated in *Belarmino and Sanico* remain applicable. Medical records reveal that the appellant had a series of confinements due to Traumatic Cataract and gradual loss of vision in his left eye which could be traced to the eye-injury that he suffered in the fateful military siege in 1980. The same can be said of the condition which ultimately caused his discharge from the military service.

The principle of proximate cause traces the condition and ultimate discharge of the appellant to the injuries he suffered in the line of duty. The records reveal that the appellant was only discharged from military service on April 10, 1997 due to blindness in his left eye. It only took him five more days for him to fully and timely file his claim on April 15, 1997. Thus, the claim has not yet prescribed.

**WHEREFORE**, the appealed Decision is **REVERSED** and the GSIS is ordered to grant the corresponding EC disability benefits to the appellant plus reimbursement of his out of pocket medical expenses due to his work-connected injury subject to the limitations prescribed by the Commission.

**SO ORDERED.**

**CITY OF MAKATI,**  
**May 11, 2017.**





## BOARD RESOLUTION NO. 17-05-19

### *Approving the Recommendations of the Technical Review Committee (TRC) on Ten (10) EC Appealed Cases from the SSS and Five (4) EC Appealed Cases from the GSIS*

WHEREAS, Article 186 (formerly 180) of P.D. No. 626, as amended, partly provides:

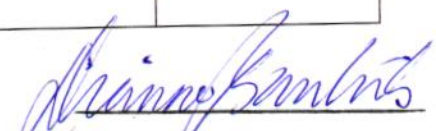
**"ART. 186. Settlement of Claims.- The System shall have original and exclusive jurisdiction to settle any dispute arising from this Title with respect to coverage, entitlement to benefits, collection and payment of contributions and penalties thereon, or any other matter related thereto, subject to appeal to the Commission..."** (emphasis supplied)

WHEREAS, on May 5, 2017, the Technical Review Committee (TRC) has deliberated on the following EC appealed cases from the SSS and the GSIS:

#### *I. SSS (Legal and Medical Cases)*

<i>Title of the Case/ Nature of Appeal</i>	<i>TRC Recommendation</i>	<i>End of 20 working days PCT</i>
<p><b>I.1. AVILES, Edralyn P. vs. SSS</b></p> <p><b>SL-19613-0417- 17</b></p> <p>Nature of claim:  <i>disability benefits due to Fracture Open 2<sup>nd</sup> and 3<sup>rd</sup> Metatarsals with extensive tendon transections, right foot, avulsed wound, left-leg secondary to vehicular accident</i></p> <p>Occupation of the</p>	<p><b>For Award</b></p> <p><b>Basis for award:</b> Company sponsored activity; The act of the appellant in riding a tricycle in proceeding to the venue of the company outing does not fall under notorious negligence</p>	<p><b>May 18, 2017</b></p>

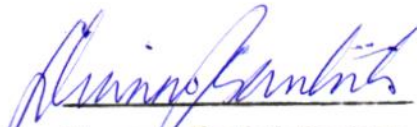
**CERTIFIED TRUE COPY**

  
**Dianne Lilibeth S. Bautista**  
 Board Secretary III



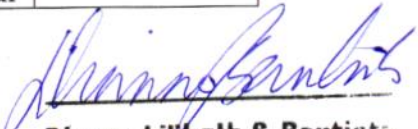
<b><i>Title of the Case/ Nature of Appeal</i></b>	<b><i>TRC Recommendation</i></b>	<b><i>End of 20 working days PCT</i></b>
covered member: Production Operator (Testech, Incorporated)		
<p>I.2. <b>ABELLA, Christian N. vs. SSS</b></p> <p><b>SL-19614-0417- 17</b></p> <p>Nature of claim: disability benefits due to Multiple Fractures, right leg, contusion, laceration, and abrasion</p> <p>Occupation of the covered member: Delivery Driver (Pilipinas Messerve)</p>	<p><b>For Denial</b></p> <p><b>Reason for denial:</b> Notorious negligence (reckless driving); the appellant was driving at a high-speed when his motorcycle collided with another vehicle.</p>	<p><b>May 18, 2017</b></p>
<p>I.3. <b>AGULTO, Lorenzo B. vs. SSS</b></p> <p><b>SL-19615-0415- 17</b></p> <p>Nature of claim: disability benefits due to Pelvic Fracture</p> <p>Occupation of the covered member: Security Guard (Tamaraw Security Service, Inc.)</p>	<p><b>For Award</b></p> <p><b>Basis for award:</b> Bunk-house rule; the appellant was allowed to stay in his work-place; he fell from a tree while he was in the act of picking mango fruits; the tree was located within the vicinity of the premises of the employer</p>	<p><b>May 18, 2017</b></p>

**CERTIFIED TRUE COPY**

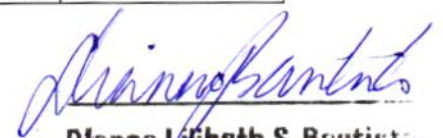


**Dianne Lilibeth S. Bautista  
Board Secretary III**

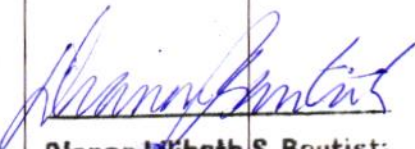
<b>Title of the Case/ Nature of Appeal</b>	<b>TRC Recommendation</b>	<b>End of 20 working days PCT</b>
<p><b>1.4. PIOQUID, Andy B. vs. SSS</b></p> <p><b>SL-19616-0417- 17</b></p> <p>Nature of claim: disability benefits due to Acromioclavicular Joint Repair, right</p> <p>Occupation of the covered member: Mess Man (Wilhemsen-Smith Bell Manning, Inc.</p>	<p style="text-align: center;"><b>For Denial</b></p> <p><b>Reason for denial:</b> Seamen covered by the eight-hour work-rule; the appellant was off-duty onboard a vessel when he accidentally slipped on a wet door mat while he was about to enter his cabin door; no substantial evidence showing that he was performing any act related to his duty prior to the said incident.</p>	<p style="text-align: center;"><b>May 18, 2017</b></p>
<p><b>1.5. YET, Jennifer R. vs. SSS</b></p> <p><b>SM-19598- 0314-17</b></p> <p>Nature of claim: disability benefits due to Typhoid Fever; Hyponatremia; Hypokalemia; Heat Stroke</p> <p>Occupation of the Covered Member: Information Officer (Camarines Norte Electric Cooperative, Inc. [CANORECO])</p>	<p style="text-align: center;"><b>For Modification</b></p> <p><b>A. For denial-</b>  <i>Typhoid Fever-</i></p> <p><b>Reason for Denial:</b> no causal relationship; no substantial evidence showing that she ingested contaminated food or water in the course of her employment</p> <p><b>B. For award-</b>  <i>Heat Stroke; Hypokalemia; Hyponatremia-</i></p> <p><b>Basis for Award:</b> the working conditions, exhaustion of the appellant due to extreme heat, in particular, caused the manifestation of the said ailments</p>	<p style="text-align: center;"><b>May 15, 2017</b></p>
<p><b>1.6. CALICA, Florante H. vs. SSS</b></p> <p><b>SM-19617-</b></p>	<p style="text-align: center;"><b>For Denial</b></p> <p><b>Reason for denial:</b> no causal relationship; non-satisfaction of any of the conditions for compensability of Musculoskeletal</p>	<p style="text-align: center;"><b>May 18, 2017</b></p> <p style="text-align: right;"><b>CERTIFIED TRUE COPY</b></p>

  
**Dianne Lilibeth S. Bautista**  
 Board Secretary III

<b><i>Title of the Case/ Nature of Appeal</i></b>	<b><i>TRC Recommendation</i></b>	<b><i>End of 20 working days PCT</i></b>
<p><b>0417-17</b></p> <p>Nature of claim: disability benefits due to Degenerative Osteoarthritis, both knees, radiculopathy, both lower extremities</p> <p>Occupation of the Covered Member: Mechanic 1/C (Philex Mining Corp)</p>	<p>Disorders and Hearing Loss; there is no substantial evidence showing that the working conditions of the appellant entailed lifting and/or carrying of heavy objects; neither there is showing that he sustained injury or trauma on his spine or extremities and ears in the course of his employment</p>	
<p><b>I.7.RAGUDO, Teresita Flordeliz M. vs. SSS</b></p> <p><b>SM-19619- 0417-17</b></p> <p><i>Nature of claim: additional EC disability benefits due to Acute Traumatic Dental Injuries on Anterior Teeth Nos. 11, 21, and 22; Dental Extrusion, Intrusion, Enamel and Crown Fracture</i></p> <p>Occupation of the Covered Member: Finance and Human Resource Officer (INA Research Philippines, Inc.)</p>	<p><b><i>For Denial</i></b></p> <p><b>Reason for denial:</b> non-satisfaction of any disabling conditions on the face, teeth, tonque and palate under the EC Schedule of Compensation</p>	<p><b>May 18, 2017</b></p> <p><b>CERTIFIED TRUE COPY</b></p>

  
**Dianne Lilibeth S. Bautista**  
**Board Secretary III**



<b>Title of the Case/ Nature of Appeal</b>	<b>TRC Recommendation</b>	<b>End of 20 working days PCT</b>
<p><b>1.8. SABANGAN, Ranie Y. vs. SSS</b></p> <p><b>SM-19620- 0417-17</b></p> <p><i>Nature of claim: disability benefits due to Tinea Corporis (Back) &amp; Eczematoid Dermatitis, right lower leg</i></p> <p>Occupation of the Covered Member: Able-Bodied Seaman (Philippine Transmarine Carriers, Inc.)</p>	<p><b>For Award</b></p> <p><b>Basis for award:</b> increased-risk theory; the appellant's exposure to occupational irritants and/or allergens while onboard a vessel caused the manifestation of his skin disease</p>	<p><b>May 18, 2017</b></p>
<p><b>1.9. MARTINEZ, Ma. Helen M. vs. SSS</b></p> <p>Dante M. Martinez- deceased</p> <p><b>SM-19621- 0417-17</b></p> <p><i>Nature of claim: death benefits due to Aneurysm</i></p> <p>Occupation of the Covered Member: Branch Manager (Stronghold Insurance Co.)</p>	<p><b>For Denial</b></p> <p><b>Reason for denial:</b> no causal relationship; non-satisfaction of any of the conditions for compensability of CVA</p>	<p><b>May 18, 2017</b></p> <p><b>CERTIFIED TRUE COPY</b></p>  <p><b>Dianne Elizabeth S. Bautista Board Secretary III</b></p>
<p><b>1.10. RAMOS, Jeffrey O. vs. SSS</b></p>	<p><b>For Modification</b></p> <p><b>A. For denial-</b></p>	<p><b>May 18, 2017</b></p>

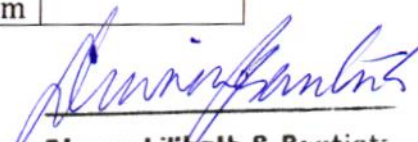


<b>Title of the Case/ Nature of Appeal</b>	<b>TRC Recommendation</b>	<b>End of 20 working days PCT</b>
<p><b>SM-19622-0417-17</b></p> <p><i>Nature of claim:</i> disability benefits due to Medial Meniscal Tear, left knee; Patellar Tendinitis; Hyperuricemia</p> <p>Occupation of the Covered Member: Commis I/Baker (Philippine Transmarine Carrier, Inc.)</p>	<p><i>Hyperuricemia-</i></p> <p><b>Reason for Denial:</b> no causal relationship; the risk factor, increased production or decreased excretion of uric acid or a combination of the two processes, is not related to the working condition of the appellant as COMMIS I/Baker</p> <p><b>B. For award-</b></p> <p><i>Medial Meniscal Tear, left-knee; Patellar Tendinitis-</i></p> <p><b>Basis for Award:</b> the working conditions of the appellant, which entailed repeated standing and running-up and down in the galley and repetitive use of the knee tendon and cartilage, increased his risk of contracting the claimed ailment.</p>	

**II. GSIS (Legal and Medical Cases)**

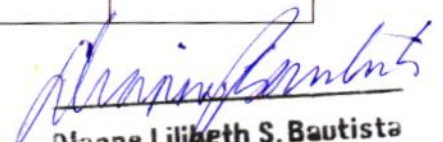
<b>Title of the Case/ Nature of Appeal</b>	<b>TRC Recommendation</b>	<b>End of 20 working days PCT</b>
<p><b>II.1. ARAGONES, Eduardo A. vs. GSIS</b></p> <p><b>GL-19629-0502-17</b></p> <p><i>Nature of claim:</i> disability benefits due to blindness in his left-eye</p> <p>Occupation of the</p>	<p><b>For Award</b></p> <p><b>Basis for award:</b> claim filed within the three-year prescriptive period; blindness complication of the shrapnel wound sustained by the appellant during a military operation against the rebels in 1980; on the basis of the ruling of the Supreme Court in the case of Sanico v. ECC that <i>"the prescriptive period should be reckoned from the time the employee lost his earning capacity,"</i> the reckoning period should have been commenced on April 10, 1997 when the appellant was discharged from</p>	<p><b>May 30, 2017</b></p>

**CERTIFIED TRUE COPY**

  
**Dianne Lilibeth S. Bautista**  
 Board Secretary III

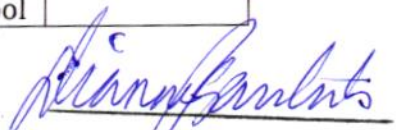
<p>covered member: Soldier (Staff Sergeant [SSgt.-PA])</p>	<p>the military service due to his eye-illness. Thus, when the appellant filed his claim on April 15, 1997, the claim was filed within the three year prescriptive period.</p>	
<p><b>II.2. DELA CRUZ, Clarita P. vs. GSIS</b></p> <p><b>GL-19610- 0417-17</b></p> <p>Nature of claim: disability benefits due to Harada's Disease, both eyes; Psuedophakia, both eyes; S/P PE with PICOL, right eye</p> <p>Occupation of the covered member: Public Services Foreman (MMDA)</p>	<p style="text-align: center;"><b>For Denial</b></p> <p><b>Reason for denial:</b> Prescription; filing of claim beyond the three-year prescriptive period; the appellant retired due to her eye illness in 2008 but she filed her claim only in 2013.</p>	<p style="text-align: center;"><b>May 18, 2017</b></p>
<p><b>II.3. GENTEROY, Lina B. vs. GSIS</b></p> <p><b>GM-19612-0417- 17</b></p> <p>Nature of claim: disability benefits due to Cerebrovascular Disease, intracerebral bleed</p> <p>Occupation of the covered member: Day Care Worker I (City Social Services Office, City Government of Calamba)</p>	<p style="text-align: center;"><b>For Denial</b></p> <p><b>Reason for denial:</b> No causal relationship; non-satisfaction of any of the conditions for compensability of Cerebrovascular Accident (CVA)</p>	<p style="text-align: center;"><b>May 18, 2017</b></p>

**CERTIFIED TRUE COPY**

  
**Dianne Lilibeth S. Bautista**  
**Board Secretary III**



<p><b>II.4. GARONG, Allan M. vs. GSIS</b></p> <p><b>GM-19623-0417-17</b></p> <p>Nature of claim: disability benefits due to Glossopharyngeal Neuralgia; Ossified Posterior Longitudinal Ligament; Otagia; Epicondylitis; Epicondyle Bursitis; Laryngophaygeal Reflux; Pharyngitis; Uncontrolled Bowel Movements; Spondylosis; Throat pains; Eye pain</p> <p>Occupation of the covered member: Supervising Legal Staff Officer II (House of Representatives)</p>	<p style="text-align: center;"><b>For Denial</b></p> <p><b>Reason for denial:</b> no causal relationship; the risk factors of the following claimed ailments are not related to the working conditions of the appellant:</p> <ol style="list-style-type: none"> <li>1. Glossopharyngeal or Vagoglossopharyngeal Neuralgia-caused by infectious, inflammatory or neoplastic processes although the real cause is not yet determined.</li> <li>2. Ossified Posterior Longitudinal Ligament-degenerative disease.</li> <li>3. Otagia- external otitis, otitis media, mastoiditis, and auricular infections.</li> <li>4. Epicondylitis-ailment of the wrist associated with blue collar worker;</li> <li>5. Epicondyle Bursitis- the major bursae are located adjacent to the tendons near the large joints such as shoulders, elbows, hips, and knees. A bursa can become inflamed from injury, infection (rare in the shoulder), or due to an underlying rheumatic condition.</li> <li>6. Laryngophaygeal Reflux; -due to physical or lifestyle causes; physical causes include malfunctioning or abnormal lower esophageal sphincter muscle, hiatal hernia, abnormal esophageal contractions, and slow emptying of the stomach; lifestyle factors include diet (chocolate, citrus, fatty foods, spices), habits (over-eating, alcohol, and tobacco abuse) and pregnancy.</li> <li>7. Pharyngitis-infection or irritation of the pharynx and/or tonsils. The etiology is usually infectious, with most cases being of viral origin; other causes include allergy, trauma, toxins, and neoplasia.</li> <li>8. Uncontrolled Bowel Movements-constipation, fecal impaction (lump of stool</li> </ol>	<p style="text-align: center;"><b>May 18, 2017</b></p> <p style="text-align: right;"><b>CERTIFIED TRUE COPY</b></p>
---	---	---

  
**Dianne Lilibeth S. Bautista**  
**Board Secretary III**

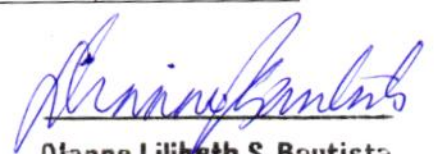
that partly blocks the large intestine), long-term taxative use, colectomy or bowel surgery, emotional problems, gynecological, prostate, or rectal surgery, injury to the anal muscles due to childbirth (in women), nerve or muscle damage (due to injury, tumor or radiation), severe diarrhea, severe hemorrhoids, and stress of being in an unfamiliar environment.

9. Eye pain- allergies, eyelid inflammation, blocked tear duct, cyst in the eyelid, cluster headache, contact lens problem, corneal abrasion, dry eyes, outwardly turned eyelid, inwardly turned eyelid, foreign object in the eye, glaucoma, injury, inflammation of the colored part of the eye, inflammation of the cornea, inflammation of the optic nerve, conjunctivitis, inflammation of the white part of the eye, inflammation of the middle layer of the eye.

*References:*

1. *Current Neurosurgical Management of Glossopharyngeal Neuralgia and Technical for Microvascular Decompression Surgery; Rey-Dios, MD, et.al., Neurosurg Focus 2013; 34(3); c8 [http://www.medscape.com /view article/780441](http://www.medscape.com/viewarticle/780441);*
2. *Ossification of the posterior longitudinal ligament; Smith ZA MD, et.al.; Neurosurg Focus. 2011; 303 (3) e10; [http://Medscape.com/viewarticle/739292\\_4](http://Medscape.com/viewarticle/739292_4)*
3. *Otalgia; Li, JC, MD, et.al., updated, Sept. 18, 2015; <http://emedicine.medscape.com /article/845173-overview#a5>;*
4. *Lateral Epicondylitis; Walrod, BJ md, et.al.: updated, March 20, 2016; <http://emedicine.medscape.com/article/96969-clinical#showall>;*
5. *Bursitis; Driver, BD, MD, et.al.; 10/25/2016; [http://www.emedicinehealth.com/bursitis/article-em.htm#what\\_is\\_bursitis](http://www.emedicinehealth.com/bursitis/article-em.htm#what_is_bursitis);*

**CERTIFIED TRUE COPY**



**Dianne Lilibeth S. Bautista  
Board Secretary III**



	<p>6. Pharyngitis; Acerra, JR, MD, et.al.; updated, April 17, 2017; <a href="http://emedicine.medscape.com/article/764304-clinical">http://emedicine.medscape.com/article/764304-clinical</a>;</p> <p>7. Laryngopharyngeal Reflux; Position Statement of the Committee on Speech, Voice and Swallowing Disorders of the American Academy of Otorhynology- Head and Neck Surgery; Koufman, JA MD, et.al., 2002; Otolaryngology- Head and Neck Surgery; <a href="http://journals.sagepub.com/doi/full/10.1067mhn.2002.125760">http://journals.sagepub.com/doi/full/10.1067mhn.2002.125760</a>; <a href="http://www.entnet.org/content/gerd">http://www.entnet.org/content/gerd</a> and lpr;</p> <p>8. <a href="http://www.mayoclinic.org/symptoms/eye-pain/basics/causes/sym-20050744">http://www.mayoclinic.org/symptoms/eye-pain/basics/causes/sym-20050744</a>;</p> <p>9. Bowel Incontinence: Lehrer, JK, MD.et.al.; 12/32014;<a href="http://medlineplus.gov/ency/article/003135.htm">http://medlineplus.gov/ency/article/003135.htm</a>;</p> <p>10. Walker-Bone, Karen, et.al. "Occupation and Epicondylitis: A Population Based Study. (Rheumatology 9Oxford, England) 51.2 (2012): 305-310.PMC, Web, 4 May 2017</p>	
--	--	--

**WHEREAS**, considering that this Commission is mandated to resolved EC appealed cases within the period of 20 working days, the abovementioned EC appealed cases are deemed resolved on the date of start of routing, or on May 10, 2017, by the Secretariat of this Resolution to the other members of the Commission for purposes of compliance with the prescribed 20 working day PCT;

**ON THE BASIS OF THE CONCURRENCE OF THE MEMBERS OF THE COMMISSION**

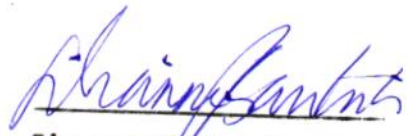
This Commission **RESOLVES AS IT HEREBY RESOLVED** that the recommendations of the TRC in the abovementioned cases be approved:

**RESOLVED FURTHER**, that the entire original records of the following cases;

**I. SSS (Legal and Medical Cases)**

1. AVILES, Edralyn P. vs. SSS (SL-19613-0417-17);

**CERTIFIED TRUE COPY**

  
**Dianne Lilibeth S. Bautista**  
 Board Secretary III

- 2. AGULTO, Lorenzo B. vs. SSS (SL-19615-0417-17);
- 3. YET, Jennifer R. vs. SSS (SM-19598-0314-17);
- 4. SABANGAN, Ranie Y. vs. SSS (SM-19620-0417-17);
- 5. RAMOS, Jeffrey O. vs. SSS (SM-19622-0417-17)

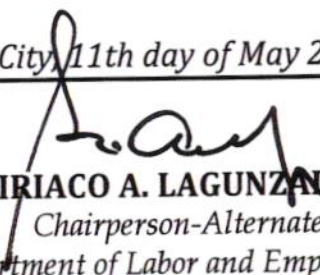
**II. GSIS (Legal Case)**

- 1. ARAGONES, Eduardo A. vs. GSIS (GL-19629-0502-17)

be remanded to the SSS and to the GSIS for enforcement of Decisions of this Commission on the abovementioned cases ordering the SSS and the GSIS to grant EC benefits to the appellants;

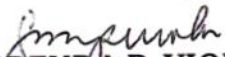
**RESOLVED FINALLY**, that the SSS and the GSIS be duly furnished with copies of this Resolution and Decisions on the abovementioned cases for compliance and for guidance purposes.

**APPROVED**, in Makati City 11th day of May 2017.

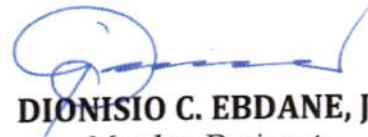


**CIRIACO A. LAGUNZA III**  
Chairperson-Alternate

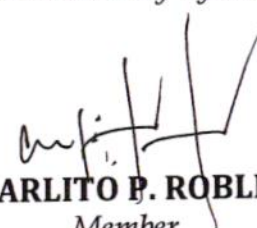
Department of Labor and Employment



**BRENDA P. VIOLA**  
Member-Designate  
Social Security System



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



**CARLITO P. ROBLE**  
Member  
Employees' Sector

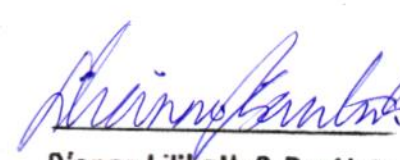
**VACANT**  
(In Transition)  
Member-Designate  
Philippine Health Insurance Corporation



**STELLA ZIPAGAN-BANAWIS**  
Member

Employees' Compensation Commission - Secretariat

**CERTIFIED TRUE COPY**



**Dianne Lilibeth S. Bautista**  
Board Secretary III