



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

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Ika-29 ng Mayo 2017

**G. JEFFREY O. RAMOS**

No. 0731, Purok 4, Lumang Bayan  
Plaridel, Bulacan, 3004  
SM-19622-0417-17

Mahal naming **G. RAMOS**:

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 ilang bahagi ng inyong kahilingan. Ang SSS 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 tatlong (30) araw matapos po ninyong tanggapin ang kopya ng desisyon.

Maraming salamat po.

Lubos na sumasainyo,

  
**STELLA ZIPAGAN-BANAWIS**  
Executive Director



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May 29, 2017

**ELISA T. BAROQUE, M.D.**  
Department Manager III  
Medical Operation Department  
**SOCIAL SECURITY SYSTEM**  
East Ave., Diliman, Quezon City

Dear **Dr. BAROQUE**:

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

**JEFFREY O. RAMOS vs. SSS**  
**ECC CASE No. SM-19622-0417-17**

The decision in the above-entitled case is a **MODIFICATION** 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:

**BRENDA P. VIOLA, MD**  
OIC – Medical Services Division  
Social Security System (SSS)  
East Ave., Diliman, Quezon City

**Mr. JEFFREY O. RAMOS**  
No. 0731, Purok 4, Lumang Bayan  
Plaridel, Bulacan, 3004  
SM-19622-0417-17



**JEFFREY O. RAMOS,**  
*Appellant,*

**-versus-**

**ECC CASE No. SM-19622-0417-17**

**SOCIAL SECURITY SYSTEM (SSS),**  
*Appellee.*

X-----X

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

This appeal seeks to review the Resolution No. 2016-E 0034 of the Social Security System-Medical Claims Review Committee (SSS-MedCRC), dated March 15, 2017, denying appellant's claim for disability benefits, under the Employees' Compensation Law (P.D. No. 626, as amended) due to Medial Meniscal Tear, left knee; Patellar Tendinitis; Hyperurecemia.

From September 18, 2015, until December 18, 2015, the appellant, Jeffrey O. Ramos (SSS No. 33-7669753-9), 33 years old at the time of the filing of the claim and a resident of Plaridel, Bulacan, was employed as Commis I/Baker of Philippine Transmarine Carriers, Inc., Makati City.

During the time of his employment, the appellant was responsible for the following:

1. Reports to their work-station assignment on time and properly groomed and dressed according to Royal Caribbean International Gold Anchor Standards. This includes a clean uniform, name tag, chef's hat, apron hair net for ladies and specified safety shoes and appropriate personal protection equipment;
2. Collaborates with the assigned station-head, usually the Chef de Partie or Sous Chef to review the requirements of the day's meals and time frames for restaurant service;
3. Takes part in ordering and cost-control of food requisitions to avoid over production and unnecessary food wastage;
4. Studies menu to estimate food and time requirements to ensure speed and efficiency;
5. Follows company recipe to produce consistent results;
6. Practices at all times HACCP and onboard sanitation and hygiene standards in compliance with ship's international itinerary;



7. Acquires proficiency in regards to onboard public health control plan to ensure all foods, served and prepared are safe for consumption;
8. Records food temperature in Blast Chiller log, prepares other required logs;
9. Learns about OPP and all others in a cooperative, productive and effective manner;
10. Provides new employees a positive example and guidance on daily activities and familiarization of the work-place;
11. Operates all equipment according to Company's standard operating procedures;
12. Adjusts thermostat controls to regulate temperature of refrigerators, ovens, broilers, grills, roasters, steam kettles, etc.;
13. Tests equipment to ensure accuracy of temperature gauges, heating or cooling elements, etc.;
14. Reports to station head all malfunctions and requests necessary repairs;
15. Maintains cleanliness of all utensils and equipment in their assigned section, taking care not to splash water inside the electrical components to prevent damage;
16. Handles carefully all equipment by placing them in the right storage areas and never allowing anything to drop onto the floor while transporting to other location;
17. Reports immediately to supervisor any equipment that is out of order or needs to be repaired;
18. Picks-up food items from the provision room and delivers food products to certain outlets;
19. Removes empty cartoons and boxes in the provision area and bring them to incinerator room;
20. Practices correct garbage separation;
21. Organizes and prepares *mis en place*;
22. Measures and mixes ingredients according to recipe to prepare soups, salads, gravies, desserts, sauces, and casseroles;
23. Evaluates foods being cooked by tasting, smelling, and determining the correct food temperature by using a calibrated and sanitized thermometer;
24. Works in various galley stations that prepare meat, fish, vegetables, and other foods for baking, roasting, broiling, braising, sautéing, steaming, etc.;

25. Performs multi-task activities such as wash, peel, cut, and shred fruits and vegetables;
26. Butchers chicken, fish, and shellfish;
27. Cuts, trims, and bone meat prior to cooking or serving;
28. Places food items, and garnishments in accordance with Royal Caribbean International's corporate recipe standard;
29. Ensures all foods on plates are correctly portioned and served uniformly;
30. Must be able to explain ingredients in the menu and preparation techniques while working in front of the house or buffet areas;
31. Considers safety of one's self, colleagues, and guests while working at the company's private destination;
32. Must be familiar with the nearest first aid station, location of safety equipment and routes around the island's work-station;
33. Ensures professional and friendly service at all times;
34. Responsible in securing company property and food products brought to the island;
35. Must work in best sanitary condition as applied onboard including standard hygiene and cleanliness;
36. Minimizes over production by planning and referring to previous meal count records;
37. Controls waste by batch cooking and maintain the food under correct temperature;
38. Cleans work-stations before and after meal preparation;
39. Follows onboard cleaning procedures for work-surfaces and all related equipment and utensils;
40. Assembles workstation for the next meal preparation shift; this includes cleaning of food storage areas and refrigerators;
41. Practices ergonomic exercise such as stretching before reporting for duty; reports first stage of illness or health disorder to immediate supervisor;
42. Understands and follows Time and Attendance policy; takes initiative to prevent unnecessary overtime by organizing work-station and planning ahead by anticipating menu requirements;
43. Attends meetings, training activities, company culinary training course and all other work-related activities on time;
44. Performs any other job related duties assigned by their supervisor or management.

Medical records reveal that sometime in 2011, the appellant sustained injuries on various parts of his body when he was involved in a motorcycle accident. There is no showing that he was in the course of his duties when the incident happened.

Before embarking on his last sea-trip, the appellant underwent pre-employment medical examination which revealed fit for service. Medical records further reveal that sometime in December 2015, the appellant experienced pain on his left-knee while he was onboard a cruise ship. He sought medical consultation. He was diagnosed to have suffered from Medial Meniscal Tear, left knee. Due to his condition, the appellant was repatriated to the Philippines for further medical management. On March 3, 2016, he underwent Arthroscopy with debridement and Meniscotomy of left knee as surgical remedy. It was noted that he has “*difficulty in climbing up and down the stairs but no history of trauma.*”

The appellant filed claims for SSS sickness benefits and EC disability benefits before the SSS Makati City-2 Branch (Branch) due to his ailment. The Branch approved the grant of SSS sickness benefits for 60 days effective January 10, 2016 but denied his claim for EC disability benefits on the ground of no causal relationship.

On March 15, 2017, the SSS-MedCRC sustained the denial on the same ground through its Resolution No. 2016-E 0034.

On April 7, 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 to the Commission with the following recommendations:

1. For denial

Claimed Ailment	Reason for Denial
Hyperuricemia	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

2. For award

Claimed Ailment	Basis for Award
<i>Medial Meniscal Tear, left-knee; Patellar Tendinitis</i>	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.

*The appeal is partly meritorious.*

Article 173 (formerly Art. 167) paragraph (I) of Presidential Decree (P.D.) No. 626, as amended, defines sickness as "any illness definitely accepted as an occupational disease listed by the Commission, or any illness caused by employment subject to proof that the risk of contracting the same is increased by working conditions." Section 1 (b), Rule III, of the Rules Implementing P.D. No. 626, as amended, provides that "for the sickness and the resulting disability or death to be compensable, the sickness must be the result of an occupational disease included under Annex "A" of these Rules (Amended Rules on Employees' Compensation) with the conditions set therein satisfied; otherwise, proof must be shown that the risk of contracting the disease is increased by the working conditions."

Medical findings reveal the etiology or risk factors of Hyperuricemia and Meniscus Tears, in this manner, to wit:

#### **Hyperuricemia**

- **"Hyperuricemia can result from increased production or decreased excretion of uric acid or a combination of the two processes.** Sustained Hyperuricemia predisposes some individuals to develop clinical manifestations including gouty arthritis, urolithiasis and renal dysfunction..."

*Reference:*

*Harrison's Principles of Internal Medicine, 16<sup>th</sup> Edition, Volume 2, p. 2016: Monosodium Urate Gout, p. 2308: Disorders of Purine and Pyrimidine Metabolism.*

#### **Meniscus Tears**

- "Meniscus tears refer to a tear in the shock-absorbing cartilage (meniscus) of the knee.
- "The meniscus is a C-shaped piece of cartilage located in the knee. Cartilage is found in certain joints and forms a buffer between the bones to protect the joint. The meniscus serves as a shock-absorption system, assists in lubricating the knee joint, and limits the ability to flex and extend the joint.

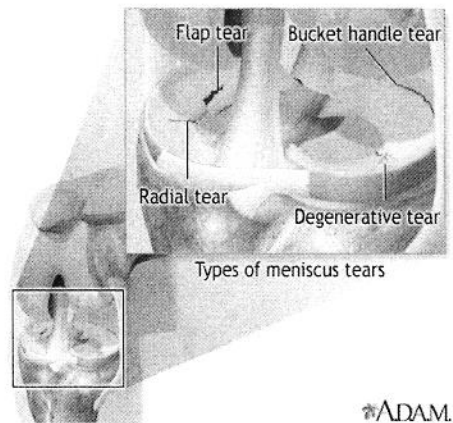
#### **"Causes**

- "Meniscal tears are most commonly caused by twisting or over-flexing the knee joint.

#### **"Symptoms**

- "A 'pop' may be felt at the time of injury;
- "Knee joint pain when walking;
  - Knee pain in the space between the bones; gets worse when gentle pressure is applied to the joint;

- “Locking of the knee joint;
- “Recurrent knee-catching;
- “Difficulty squatting down;
- “Swelling in the knee joint;



*Reference:*

<http://www.nlm.nih.gov/medlineplus/ency/article/0011071.htm>

- “The knee is a weight-bearing joint that is important for walking, standing, bending, stooping and squatting. The knee is rather unstable and depends for support on ligaments and strong muscles. There are two joints in the knee, the femorotibial and the femoropatellar. On both inner and outer side of the joint there are strong ligaments, and in the centre of the femorotibial joint are the cruciate ligaments, which give stability and assist in the normal mechanical function of the knee. The menisci are curved, fibrocartilaginous structures that lie between the femoral (femoral condyles) and the tibial bones (tibial plateau). The knee joint is both stabilized and empowered by muscles that originate above the hip joint and at the shaft of the femur and are inserted upon bony structures below the knee joint. Around the knee joint there is a synovial capsule and the joint is protected by several bursae.
- “All these structures are easily hurt by trauma and overuse and medical treatment for knee pain is rather common.”

*Reference:*

*Encyclopedia of Occupational Health and Safety, 4<sup>th</sup> Edition, Volume I, pp. 6.24-6.25*

- “A twisting or hyperflexion event is the usual cause of tears in the athletic population; however, in older individuals, tears may occur without a defined moment, presumably via a cumulative microtraumatic degenerative mechanism.

*Reference:*

*Schwartz' Principles of Surgery, 8<sup>th</sup> Edition, p. 1711: Orthopaedics-Meniscal Injuries*

- “Meniscus tears are sometimes related to trauma but significant trauma is not necessary. A sudden twist or repeated squatting can tear the meniscus.



- “Meniscus tears typically occur as a result of twisting or change of position of the weight-bearing knee in varying degrees of flexion or extension.”

*Reference:*

*Meniscus Injuries Clinical Presentation; Baker, BS MD. Et. al.; Updated July 25, 2016; <http://emedicine.medscape.com/article/90661-clinical?src=refgatesrc1>*

**Hyperuricemia** is not among the occupational diseases listed under Annex “A” of the Amended Rules on Employees’ Compensation Law. Thus, it is required of the appellant to prove that the risk of contracting the said ailment was increased by the nature of his working conditions. However, it appears that the appellant’s occupation could not, by its nature and condition, be said to have caused or contributed to the development of his **Hyperuricemia** considering that the etiology of the same points to factors which are not related in any way to the nature of the actual duties of the appellant as COMMIS I/Baker. The records also failed to disclose any substantial evidence that would establish any reasonable connection between the occupation of the appellant and the said ailment.

Thus, owing to the absence of substantial evidence that will establish causal relationship between the appellant’s Hyperuricemia and his working conditions, this Commission finds no cogent reason to reverse the decision of the SSS denying appellant’s claim insofar as his Hyperuricemia is concerned.

This Commission now proceeds to rule on the compensability of the appellant’s Medial Meniscal Tear.

In denying the claim, the SSS states that the appellant failed to provide any evidence showing the causal connection between the appellant’s previous injury and his Medial Meniscal Tear. However, based on the abovementioned medical findings, the said illness could also be caused by sudden twist or repeated squatting.

In the similar case of Arnold R. Malavega vs. SSS (SM-19590-0306-17, March 31, 2017), this Commission held that:

“...Considering further that his working conditions as Room Service Attendant in a cruise ship entailed various changing of positions of his legs and/or knees, in serving food and beverages, in arranging/decorating of table settings, and in attending to various request of guests, the possibility of having Meniscus Tears on his left-knee is not remote.

“The degree of proof required under P.D. No. 626, as amended, is merely substantial evidence, which means, *“such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.”* What the law requires is a 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. Medical opinion to the contrary can be disregarded especially where there is some basis in the facts for inferring a work-connection. Probability, not certainty, is the touchstone.” (italics supplied, Salalima v. ECC and SSS, G.R. No. 146360, May 20, 2004)

In this case, this Commission believes the existence of reasonable probability. Stated differently, this Commission believes that there is a reasonable probability that despite the absence of any causal connection between the appellant's previous injury and his Medial Meniscal Tear, as argued by the SSS, the working conditions of the appellant in cruise ship as COMMIS I/Baker, 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 said ailment.

**WHEREFORE**, premises considered, the appealed Decision is hereby **MODIFIED** and the SSS is ordered to grant the appellant the corresponding EC disability benefits due him under the law plus reimbursement of out of pocket medical expenses due to Medial Meniscal Tear subject to the limitations prescribed by the Commission. However, the SSS is not bound to grant EC disability benefits to the appellant due to his Hyperuricemia considering that the risk factors of the said ailment are not related to his working conditions.

**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:

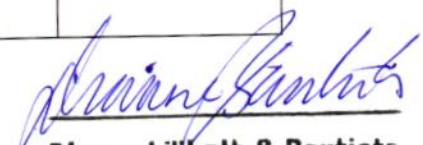
**"ART. 186. Settlement of Claims.- The System shall have original and exclusive jurisdiction to settle any dispute arising from this Title with respect to coverage, entitlement to benefits, collection and payment of contributions and penalties thereon, or any other matter related thereto, subject to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

<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>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><i>For Award</i></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><i>May 18, 2017</i></b></p>

**CERTIFIED TRUE COPY**

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





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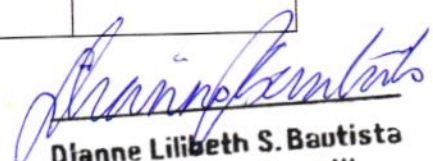
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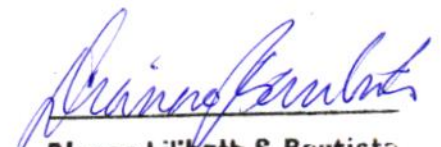
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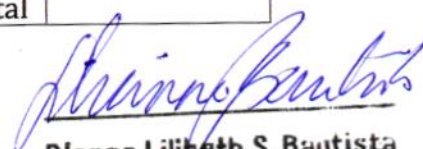
<b><i>Title of the Case/ Nature of Appeal</i></b>	<b><i>TRC Recommendation</i></b>	<b><i>End of 20 working days PCT</i></b>
covered member: Production Operator (Testech, Incorporated)		
<p><b>I.2. ABELLA, Christian N. vs. SSS</b></p> <p><b>SL-19614-0417- 17</b></p> <p>Nature of claim: disability benefits 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><b>I.3. 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>

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

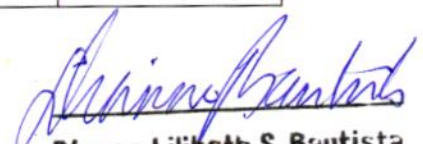
<b>Title of the Case/ Nature of Appeal</b>	<b>TRC Recommendation</b>	<b>End of 20 working days PCT</b>
<p><b>I.4. PIOQUID, Andy B. vs. SSS</b></p> <p><b>SL-19616-0417-17</b></p> <p>Nature of claim: disability benefits due to Acromioclavicular Joint Repair, right</p> <p>Occupation of the covered member: Mess Man (Wilhemsen-Smith Bell Manning, Inc.</p>	<p><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><b>May 18, 2017</b></p>
<p><b>I.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><b>For Modification</b></p> <p><b>A. For denial-</b></p> <p><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></p> <p><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><b>May 15, 2017</b></p>
<p><b>1.6. CALICA, Florante H. vs. SSS</b></p> <p><b>SM-19617-</b></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 Musculoskeletal</p>	<p><b>May 18, 2017</b></p>

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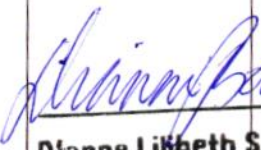
  
**Dianne Lilibeth S. Bautista**  
**Board Secretary III**

<b>Title of the Case/ Nature of Appeal</b>	<b>TRC Recommendation</b>	<b>End of 20 working days PCT</b>
<p><b>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>For Denial</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>

**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>1.8. 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> <i>increased-risk theory; the appellant's exposure to occupational irritants and/or allergens while onboard a vessel caused the manifestation of his skin disease</i></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> <i>no causal relationship; non-satisfaction of any of the conditions for compensability of CVA</i></p>	<p><b>May 18, 2017</b></p> <p><b>CERTIFIED TRUE COPY</b></p> <p> <b>Dianne Libbeth 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>

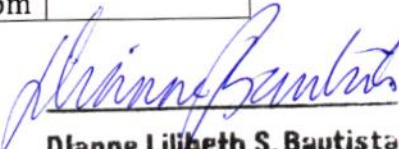


<b>Title of the Case/ Nature of Appeal</b>	<b>TRC Recommendation</b>	<b>End of 20 working days PCT</b>
<p><b>SM-19622-0417-17</b></p> <p><i>Nature of claim:</i> disability benefits due to Medial Meniscal Tear, left knee; Patellar Tendinitis; Hyperuricemia</p> <p>Occupation of the Covered Member: Commis 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>

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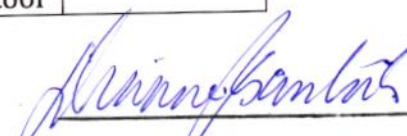
<p>covered member: Soldier (Staff Sergeant [SSgt.-PA])</p>	<p>the military service due to his eye-illness. Thus, when the appellant filed his claim on April 15, 1997, the claim was filed within the three year prescriptive period.</p>	
<p><b>II.2. DELA CRUZ, Clarita P. vs. GSIS</b>  <b>GL-19610-0417-17</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><i>For Denial</i></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><i>May 18, 2017</i></b></p>
<p><b>II.3. GENTEROY, Lina B. vs. GSIS</b>  <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><i>For Denial</i></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><i>May 18, 2017</i></b></p>

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<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; Otalgia; 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. Otalgia- 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: right;"><b>May 18, 2017</b></p> <p style="text-align: right;"><b>CERTIFIED TRUE COPY</b></p>
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**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.emedicine health.com/bursitis/article-em.htm#what \\_is\\_bursitis](http://www.emedicine health.com/bursitis/article-em.htm#what_is_bursitis);*

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Board Secretary III



	<p>6. <i>Pharyngitis</i>; 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. <i>Laryngopharyngeal Reflux</i>; Position Statement of the Committee on Speech, Voice and Swallowing Disorders of the American Academy of Otorhinolaryngology- Head and Neck Surgery; Koufman, JA MD, et.al., 2002; <i>Otolaryngology- Head and Neck Surgery</i>; <a href="http://journals.sagepub.com/doi/full/10.1067/mhn.2002.125760">http://journals.sagepub.com/doi/full/10.1067/mhn.2002.125760</a>; <a href="http://www.entnet.org/content/gerd">http://www.entnet.org/content/gerd</a> and <i>lpr</i>;</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. <i>Bowel Incontinence</i>: 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>	
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**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**

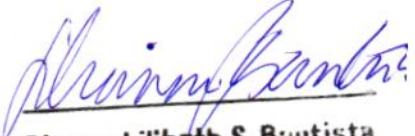
This Commission **RESOLVES AS IT HEREBY RESOLVED** that the recommendations of the TRC in the abovementioned cases be approved:

**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);

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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)**

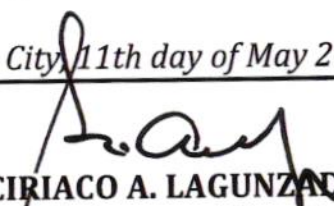
- 1. ARAGONES, Eduardo A. vs. GSIS (GL-19629-0502-17)

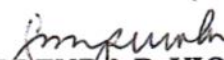
be remanded to the SSS and to the GSIS for enforcement of Decisions of this Commission on the abovementioned cases ordering the SSS and the GSIS to grant EC benefits to the appellants;


**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.

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**CIRIACO A. LAGUNZA III**  
Chairperson-Alternate  
Department of Labor and Employment

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

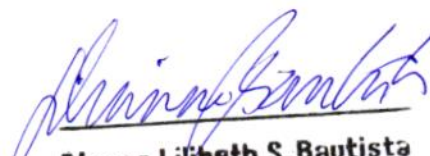
  
**DIONISIO C. EBDANE, JR.**  
Member-Designate  
Government Service Insurance System

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

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

  
**STELLA ZIPAGAN-BANAWIS**  
Member  
Employees' Compensation Commission - Secretariat

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