



# **PHYSICIANS MUTUAL AID CODE**

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## ARTICLE I GENERAL PROVISIONS

### Section 1. TITLE

This Code shall be referred to and known as the Physicians Mutual Aid Code

### Section 2. OBJECTIVES

To define the goals of the Mutual Aid Council with regards the benefits it can offer to the members.

To establish and define the Committee which shall be responsible for the implementation of the various programs.

To formulate specific and discrete guidelines that shall be used by the various committees in carrying out the various programs, specifically in the granting of benefits for its members and disbursements of funds.

To provide avenues for safeguarding and maintaining the integrity of the Commission, its members, committees and funds.

### Section 3. IMPLEMENTING BODY

The Commission on Mutual Aid shall have the exclusive authority of granting mutual aid benefits to its members through the Committees on Death & Disability Benefits Program (DDBP), Arbitration and Legal Aid Program (ALAP) and Health Benefits Program (HBP).

## ARTICLE II COMMISSION ON MUTUAL AID BENEFITS

### Section 1. COMPOSITION

- 1.1 The Commission shall be composed of 6 members with a term of three (3) years each arranged on a staggered basis, so that only two (2) are appointed annually except the initial appointees.
- 1.2 The Chairman shall be appointed from among the members by the President with the approval of the Board of Governors. He shall serve for a term of one (1) year, but maybe reappointed for another term for a maximum of two consecutive years.
- 1.3 The Chairman must have been a member of the Commission for at least 2 years before he can be appointed to the position.
- 1.4 The Chairmen of all Committees shall be a member of the Commission.

## SECTION 2. REMOVAL FROM OFFICE

The Chairman and members of the Commission can be replaced by voluntary resignation, death or incapacity, or for any acts committed inimical to the Association as determined by the Board of Governors. The President, with the approval of the Board of Governors, shall then immediately appoint a new member to fill the vacancy. The new member appointed shall then serve only the remainder of the unexpired term.

## SECTION 3. FUNCTIONS

The Commission shall have the following functions:

- To study and research on programs and matters pertaining to the welfare and benefits of the PMA members.
- To organize and establish mutual aid programs that will promote legal protection and legal assistance, death benefits, disability benefits, health benefits and other programs that will assist the members.
- To formulate policies, direct and supervise the implementation of the mutual aid programs.
- To recommend measures to the Board of Governors that shall improve the benefits accruing from the programs, and shall safeguard the viability of the trust funds.

## ARTICLE III COMMITTEES

SECTION 1. There shall be three (3) Committees under the Commission on Mutual Aid.

Committee on Death and Disability Benefits Program (DDBP)  
Committee on Arbitration and Legal Aid Program (ALAP)  
Committee on Health Benefit Program (HBP)

## SECTION 2. COMPOSITION OF THE COMMITTEES

Each committee shall consist of 6 members with a term of 3 years arranged on a staggered basis, so that only two (2) are appointed annually by the President with the approval of the Board of Governors except the initial appointees.

The Chairman shall be appointed from among the members of the Commission with the approval of the President and the Board of Governors. The Chairman shall serve for a term of one (1) year but maybe reappointed for another term for a maximum of two years.

### SECTION 3. FUNCTIONS OF THE COMMITTEES

#### Committee on Death and Disability Benefits Program

To provide death benefits to our demised members

To help financially those members who will suffer from diseases that will render them unproductive during their illness.

To formulate and implement guidelines of the programs with the approval of the Commission and the Board of Governors.

#### Committee on Arbitration and Legal Aid

To provide legal aid assistance financially to members of good standing in accordance with the set guidelines

To provide free legal advice to members needing legal help through the PMA Legal Counsel or by recommending expert witnesses.

To carry out programs on continuing education on legal matters and issues of its members

To formulate and implement guidelines of the program with the approval of the Commission and the Board of Governors

#### Committee on Health Benefit Program

To promote, organize and establish health benefit programs for the members of the association

To assist in the creation, organization and implementation of the program at regional and component society levels through the Governors and component society presidents

To render available basic diagnostic laboratory examinations and therapeutic procedures to the members, at cost if not for free

To establish referrals from a voluntary pool of multi-disciplinary specialists

To facilitate coverage of members in health maintenance scheme as a special project

The implementing body shall formulate their respective guidelines based on their existing resources and local conditions

To formulate and implement guidelines of the program with the approval of the Commission and the Board of Governors

## **DDBP AND LEGAL AID GUIDELINES**

### **Section 1. DEATH BENEFIT**

Effective April 7, 2014 , each member is entitled to a death benefit of P50,000 which however maybe changed depending upon the availability of funds, the recommendation of the Commission on Mutual Aid, and the approval of the Board of Governors.

#### **Eligibility**

The following members are eligible for death benefits

Life Members

Emeritus Members

Regular Members in good standing

New members shall receive death benefit as follows:

Within the first year of enrolment, return of premium

Within the second year of enrolment, 25%

Within the third year of enrolment, 50%

d. Within the fourth year of enrolment, 75%

Fifth year and beyond, 100%

#### **Readmission of Members**

Those members who are in arrears and subsequently paid their arrears or back dues including the current fiscal year, shall receive 25% of the benefit in the first year of reinstatement and full benefit thereafter provided they are in good standing.

**REINSTATED MEMBERS BY SPECIAL ORDER OR AMNESTY SHALL RECEIVE MUTUAL AID BENEFITS AS FOLLOWS”**

Within the 1<sup>st</sup> year of enrollment, no benefits

Within the 2<sup>nd</sup> year of enrollment, 25%

Within the 3<sup>rd</sup> year of enrollment, 50%

Within the 4<sup>th</sup> year of enrollment, 75%

Within the 5<sup>th</sup> year of enrollment, 100%

#### **Beneficiaries**

The benefits shall be paid directly to the legal heirs of the deceased unless the deceased members has designated a specific beneficiary.

To avail of the benefits, the following shall be submitted to the Committee on DDBP.

Certification by the component society that the applicant is a member in good standing.

Photo copy of the death certificate

4. Upon filing the required documents, the Secretariat shall verify the status of the applicant and if found to be in order, shall forward the application to the Committee on DDBP for action.
5. The Committee on DDBP shall act on the application within 30 days from receipt hereof.
6. Immediately upon the death of the member, the President or Secretary-Treasurer of the component medical society concerned shall send notification of such death to the PMA Secretariat, together with photo copy of the death certificate and a certification of payment of dues for the calendar year before the prescribed deadline. **Claims should be made within two (2) years from the time of death, otherwise, benefits shall be deemed waived or forfeited**

## Section 2. DISABILITY BENEFIT –

Effective April 7, 2104, each member shall be entitled to a disability benefit of P25,000 which however may be changed depending upon the availability of funds, the recommendation of the Commission and the approval of the Board of Governors. Disability benefit can be availed TWICE in a lifetime at least 5 years apart.

Members who have already claimed disability benefit before October 14, 2012 are no longer entitled to claim for another disability benefit after 5 years. This is not applied retroactively.

### 1. Eligibility –

The following are eligible for disability benefit:

1. Life Members
2. Emeritus Members
3. Regular Members

New Members shall receive disability benefit as follows:

- a. Within the first year of enrolment, return of premium
- b. Within the second year of enrolment, 25%
- c. Within the third year of enrolment, 50%
- d. Within the fourth year of enrolment, 75%
- e. Fifth year and beyond, 100%

2. Readmission of Members – those members who are in arrears and subsequently paid their arrears or back dues including the current fiscal year, 25% of the benefit in the first year of reinstatement and full benefit thereafter, provided they are in good standing.

### 3. Beneficiaries –

The benefit shall be paid directly to the member or his/her designate.

### 4. Specific Guidelines

B. The following conditions are exceptions for disability claims.

1. Disability arising from self-inflicted injuries
2. Complications arising from cosmetic and aesthetic surgery
3. Obstetrical and sterilization procedures and its complications
4. In case of widespread calamities, declared or undeclared war and armed aggression, where a great number of the members are affected, and the viability of the program is endangered, in which event the benefit under this program may be correspondingly reduced or cancelled as determined by the Commission and approved by the Board of Governors

5. No benefit shall be given to any disability claim if the injury or illness commences prior to membership or reinstatement.

6. Claims for permanent total or permanent partial disability must be filed within six (6) months from the start of disability. Claims must be filed together with the following:

Letter of application

Medical certificate of the attending physician

Copies of acceptable laboratory results corroborating the diagnosis

Certificate of good standing from the component society

Effectivity of this provision starts on January 1, 2015.

7. Upon filing of the required documents, the PMA Secretariat shall verify the status of the applicant and if found to be in order shall forward the application to the Committee on DDBP for action.

8. The Committee on DDBP shall act on the application within 30 days from receipt thereof.

9. The decision of the Committee on DDBP is final and executory unless appealed to the Physicians Mutual Aid Council within 30 days.

10. Definition of Terms –

A. Permanent Total Disability – means complete incapacity of the member, resulting from bodily injury or disease which wholly prevents the member permanently to practice medicine as a profession.

Included are:

- Total and irrevocable loss of sight of both eyes
- Loss of 2 or more limbs by amputation at or above the wrists or ankles
- Loss of sight in one eye, loss of one limb by amputation at or above the wrist or ankle
- Chronic/Acute organ failure – secondary to an irreversible underlying disease with poor prognosis within 2 years
- Diseases of the brain with severe damage associated with permanent neurological deficit or loss of brain function

11. Permanent Partial Disability – means complete incapacity to practice medicine as a profession because of bodily injury or disease uninterrupted beyond 60 days.

Included are:

- Loss of one limb by amputation at or above the wrist or ankle
- Total and irrevocable loss of all sight in one eye
- Loss of thumb or index finger or either hand at or above the metacarpophalangeal joints
- Injury, disease or illness with chronic and progressive course causing physical/mental incapacity with poor prognosis beyond 2 years
- Brain disease with neurological deficits and loss of functions reversible beyond 60 days
- Vital organ failure, reversible beyond 60 days

### Section 3. LEGAL AID BENEFITS

Effective, April 7, 2014, each duly qualified member shall be entitled to a legal aid benefit of P40,000 which may be given in part or in full or changed depending upon the availability of funds, recommendation of the Commission on Mutual Aid and the approval of the Board of Governors.

#### 1. Eligibility –

1.1 The following members are eligible for Legal Aid Benefits:

1. Life Members

2. Emeritus Members

3. Regular Members

4. New Members shall receive legal aid benefit as follows:

- a. Within the first year of enrolment, 15%
- b. Within the second year of enrolment, 25%
- c. Within the third year of enrolment, 50%
- d. Within the fourth year of enrolment, 75%
- e. Fifth year and beyond, 100%

#### 2. Readmission of members

Those members who are in arrears and subsequently paid their arrears or back dues shall receive 25% of the benefit in the first year of reinstatement and full benefit thereafter provided they are in good standing.

#### 3. Beneficiary/s

The benefit shall be paid directly to the member or to his/her duly designated representative, with reference for immediate family in charge of his personal care.



#### 4. Specific Guidelines

1. Claims can only be made for cases that have been filed against the applicant after his membership shall have been officially registered in the PMA directory of members or after the receipt of his payment by the PMA Secretariat.

For dues remitted to the PMA by mail, the date of posting shall be deemed the effective date of membership.

2. Only cases arising out of the practice of medicine shall be covered under this program provided that a formal complaint shall have been filed before any judicial, quasi-judicial, and/or administrative body and service of counsel is required. The venue shall include the following: Judicial, quasi-judicial and administrative bodies, (Professional Regulation Commission, National Bureau of Investigation, Prosecutor's Officer), etc.

3. Each duly qualified member shall be entitled to the benefits of legal aid to one case every five (5) years provided that the cases do not arise from the same incident.

4. Assistance of the Committee on Legal Aid by way of legal advice of the PMA Legal Counsel or referrals of expert witnesses shall be available to any member in good standing with the PMA and his component society.

5. To avail of the benefits, the following shall be submitted to the Committee on Legal Aid:

a. Letter of application

b. Certification by the component society that the applicant is a member in good standing

c. Copy of the official complaint or subpoena as the case may be and copy of the counter-affidavit.

6. Upon filing of the required documents, the PMA Secretariat shall verify the status of the applicant and if found to be in order, shall forward the application to Committee on Legal Aid for action.

7. The Committee on Legal Aid shall act on the application within 30 days from receipt thereof.

8. As soon as the application of the member has been approved, he is entitled to receive the amount of P40,000.00 for cases filed before judicial body. Formal complaint filed before quasi-judicial body and administrative body whereby service of counsel is required shall entitle the respondent physician to a legal aid of P15,000. Should the case be elevated to judicial bodies, the difference between the benefit received from the maximum legal aid benefit of P40,000 shall be given to the qualified member. Payment shall be in full or by installment depending upon the availability of funds. Payment shall be completed within the current fiscal year. **The amount to be disbursed shall be reckoned from the benefit accruing at the time of the occurrence of the incident being complained about.**

9. For exceptional cases not provided in these rules, assistance may be given upon the unanimous recommendation of the Committee on Legal Aid subject to the availability of funds and approval of the Commission and the Board of Governors, which assistance shall not exceed P5,000
10. In cases of claims that are denied, motion for reconsideration shall be acted only by the Committee meeting en banc if filed within 30 days and approved only with the unanimous vote of the Committee on Legal Aid. A final appeal, however, may be made within 30 days to the Physicians Mutual Aid Council for final decision.

#### Section 4. COMMITTEE ON HEALTH BENEFITS

##### A. Composition:

The Committee on Health Benefit Program (CHBP) shall be composed of six (6) members. The Chairman shall be appointed by the PMA President with the approval of the Board of Governors from among the members of the Commission and shall serve for a term of one (1) year and maybe reappointed for another term for a maximum of two (2) consecutive years. The members shall be composed of the incumbent PMA Vice President and the Governors of Manila, Quezon City, Rizal and Central Tagalog

##### B. Organization

The CHBP shall organize and establish a Health Benefit Program (HBP) in the PMA compound as a pilot project, in coordination with the existing medical health services in the PMA compound. The CHBP shall help establish health benefit program in all the regions through the component medical societies. The Mutual Aid Council shall coordinate the activities at all levels to make it possible for any bonafide member of the PMA to avail of the services of the nearest HBP, regardless of his place of origin and membership.

The Governor of each region through the Regional Council shall organize and establish venues for the HBP in their respective regions, through the component societies that are strategically located in their areas and consideration of the availability of funds, facilities and referral systems.

In the regions of Manila, Quezon City, Rizal and Central Tagalog, the Presidents of the component societies shall be the Chairman, Their respective Governors shall serve as a member of the CHBP and member of the pilot project.

The funding and sites of regional or component HBP shall be decided by the regional or component officers. The PMA-CHBP may technically assist, if requested by the organizers of the region or component societies. All activities of the regional HBP will be centralized in the MAC-CHBP. Each regional HBP shall submit their respective organizational program and guidelines, and shall render an annual report to the PMA CHBP. These activities shall then be included in their quarterly report to the PMA.

## **ARTICLE V**

### **FUNDS**

#### Section 1. SOURCES OF FUNDS

The funds of the Commission shall be derived primarily from a portion of the dues paid by each member of the Association. It shall represent 30% of the current membership dues for both regular and life members. The Commission may receive donations specifically intended for its mutual aid programs.

Section 2. The funds of the Commission shall be placed in a trust fund and cannot be appropriated for any other purpose except for the granting of mutual aid benefits for each member. These funds, however, may be invested with maximum returns through investment portfolio as maybe approved by the Commission, the Committee on Finance and the Board of Governors.

## **ARTICLE V1**

### **AMENDMENT**

This Code may be amended by a two-thirds (2/3) vote of the members of the Commission and approved by the Board of Governors.

## **ARTICLE VII**

### **EFFECTIVITY**

**This Code shall take effect upon approval of the Board of Governors. The amendments to this Code was approved by the Board of Governors during its meeting held August 15, 2005.**

### **COMMISSION ON MUTUAL AID**

2005-2006

ALBERTO C. REYES, M.D.  
Chairman

ALBANO S. SIBAL, M.D.  
Member

ANTONIO D. REBOSA, M.D.  
Member

CESAR E. MERIS, M.D.  
Member

HARRY E. BADION, M.D.  
Member

JESUS ADELO INCIONG, M.D.  
Member