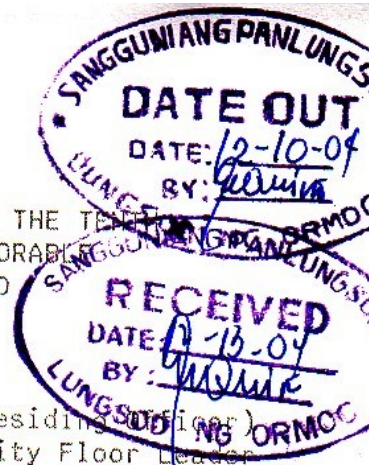


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD BUILDING ON DECEMBER 09, 2004



PRESENT:

Hon. Fe S. Lladoc, City Councilor, (Temporary Presiding Officer)
Hon. Jose S. Serafica, City Councilor, Minority Floor Leader
Hon. Manuel T. Fiel, City Councilor, Assist. Minority Floor Leader
Hon. Eduardo P. Tan, City Councilor
Hon. Claudio P. Larrazabal, City Councilor, Majority Floor Leader
Hon. Mariano Y. Corro, City Councilor
Hon. Gregorio A. Yrastorza, Jr., City Councilor
Hon. Sotero M. Pepito, City Councilor
Hon. Jose C. Alfaro, Jr., City Councilor
Hon. Ruben R. Capahi, City Councilor
Hon. Cheryl L. Alfar, Ex-Officio City Councilor,
SK Federation President

ABSENT:

Hon. Nepomuceno P. Aparis I, (O.B. - Manila), Vice Mayor &
Presiding Officer
Hon. Emeterio Y. Larrazabal, Jr., (Sick Leave), Ex-Officio
City Councilor, Chapter President, Liga ng mga Barangay ng Ormoc

PRELIMINARY STATEMENT

This Sanggunian is in receipt of a request from the PhilHealth Insurance Corporation for the passage of an Ordinance "requiring business establishment to apply for PhilHealth Clearance/Accreditation prior to the issuance of business permits and other business licenses."

The foregoing request will be given due course considering that it is for the purpose of implementing a national law, Republic Act No. 7875, as amended by Rep Act No. 9241, otherwise known as the "National Health Insurance Act of 1995" which was enacted to give meaning, life and substance to the constitutional mandates of the 1987 Philippine Constitution which state: "The State shall protect and promote the right to health of the people and instill health consciousness among them." (Sec. 15 Art. II, Declaration of Principles and State Policies), and "The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers" (Sec. ii, Article XIII - Social Justice and Human Rights)

FOREGOING PREMISES, CONSIDERED, on motion of City Councilor Mariano Y. Corro, Chairman, Committee on Laws & Ordinances, jointly seconded by City Councilors Gregorio A. Yrastorza, Jr. & Claudio P. Larrazabal; be it

RESOLVED, to enact:

ORDINANCE NO. 117

AN ORDINANCE REQUIRING BUSINESS ESTABLISHMENTS APPLYING FOR A BUSINESS PERMIT OR RENEWAL THEREOF, TO SECURE A PRIOR PHILHEALTH CLEARANCE FROM ITS OFFICE IN ORMOC CITY.

BE IT ENACTED BY THE 10th SANGGUNIANG PANLUNGSOD NG ORMOC, IN SESSION ASSEMBLED, that:

SECTION 1. This Ordinance shall be known and cited as the PHILHEALTH CLEARANCE ORDINANCE.

SECTION 2. It is the policy of the City of Ormoc to coordinate with, and assist all national and local government agencies in the proper implementation of their respective mandates to ensure the proper observance and compliance of all duly enacted laws, rules and regulations.

SECTION 3. Republic Act No. 7875, as amended by Rep. Act No. 9241 otherwise known as the "National Health Insurance Act of 1995" as well in its implementing Rules and Regulations, mandates the compulsory registration by Employers of their employees with, and remittance of contributions to, the Philippine Health Insurance Corporation with penal sanctions for the violations thereof.

SECTION 4. On October 10, 2001, a Memorandum of Understanding among the Philippine Health Insurance Corporation, the Department of the Interior and Local Government and the Local Government Leagues was signed by the parties thereto, and one of the undertakings of the Department of the Interior and Local Government was to "enjoin LGUs to adopt, as a business license or permit renewal requirement, the certificate of good payment standing from PHILHEALTH" and one of the undertakings of the LEAGUES is to actively cooperate with DILG in ensuring the successful implementation of the NHIP."

SECTION 5. Every business establishment doing business in the city of Ormoc is required to secure a business permit from the Business Permits and Licensing Office, Office of the City Mayor, as a condition for the operation of its business.

SECTION 6. The Business Permits and Licensing Office, Office of the City Mayor is enjoined not to issue any BUSINESS PERMIT whether new or renewal, to any applicant thereto, without securing first a CLEARANCE from the local office of Philippine Health Insurance Corporation (PhilHealth), as to its compliance regarding registration and remittance of contributions as required in Rep. Act 7875, as amended.

SECTION 7. The Local office of PHILHEALTH must act within five (5) working days/reckoned from the time the application for a CLEARANCE referred to in the next preceding section, is filed, otherwise, the applicant is presumed CLEARED, and the application for the issuance of a BUSINESS PERMIT shall be given due course by the BUSINESS PERMITS AND LICENSING OFFICE, OFFICE OF THE CITY MAYOR of the City of Ormoc.

SECTION 8. The Local office of PHILHEALTH shall coordinate with the BUSINESS PERMITS AND LICENSING OFFICE, OFFICE OF THE CITY MAYOR of the City of Ormoc for the proper implementation of this ordinance, specifically in the issuance of the CLEARANCE.

SECTION 9. Violation of any provision of this ordinance shall subject the offender thereof to the maximum penalty of fine of not more than Php 500.00 or to an imprisonment at the discretion of the Court, without prejudice to the penalties provided for a Rep. Act No. 7875, as amended.

Further, violation of this Ordinance shall be valid ground for the revocation of the business permit already issued.

SECTION 10. All provisions of existing ordinances inconsistent herewith, are hereby amended/modified/repealed accordingly.

SECTION 11. Should any provision of this ordinance be declared invalid/unlawful/unconstitutional, the provisions not affected thereby shall remain in full force and effect.

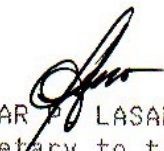
SECTION 12. This ordinance shall take effect on January 1, 2005, after the posting and publication requirements of the law shall have been complied with.

ENACTED, December 09, 2004.


RESOLVED, FURTHER, to furnish copies of this Ordinances to, one copy each, to the Honorable City Mayor Eric C. Codilla, The Business Permits and Licensing Office, Office of the City Mayor, and others concerned, all in Ormoc City.

CARRIED UNANIMOUSLY.


I HEREBY CERTIFY to the correctness of the foregoing ordinance.


OSCAR P. LASAM
Secretary to the
Sangguniang Panlungsod

ATTESTED:


FE S. LLADOC
City Councilor
(Temporary Presiding Officer)

APPROVED:


ERIC C. CODILLA
City Mayor
12/10/04
(Date)