

Title: Department of Health vs. Priscilla G. Camposano, Enrique L. Perez, and Imelda Q. Agustin

Facts:

A formal charge was filed against DOH-NCR employees Priscilla B. Camposano, Imelda Q. Agustin, and Enrique L. Perez, among others, for alleged involvement in an anomalous purchase of pharmaceuticals. The Resident Ombudsman recommended filing administrative charges for Dishonesty and Grave Misconduct. The Secretary of Health subsequently issued formal charges against the respondents. Executive Secretary Torres then established an Ad Hoc Committee under AO 298, handled by the PCAGC, to investigate the case.

The PCAGC found the respondents guilty and recommended dismissal from service. President Ramos, only deciding on the case of Rosalinda U. Majarais (a presidential appointee), dismissed her and remanded the others' case to the Secretary of Health. The Health Secretary agreed with PCAGC's recommendation and ordered the dismissal of Camposano, Agustin, and Perez from service. The respondents filed motions for reconsideration, which were denied, leading to appeals to the CSC, which upheld the Secretary's decision.

Cabrera, a co-respondent, separately appealed and was exonerated by the CA. Following suit, the remaining respondents appealed to the CA, which granted their petition and set aside the CSC resolutions, ordering their reinstatement and back pay.

Issues:

1. Did the PCAGC have jurisdiction to investigate the anomalous transaction involving the respondents?
2. Did the Secretary of Health merely perform a mechanical act in ordering the dismissal of the respondents?
3. Was an exhaustive investigation conducted by the PCAGC valid, and were the findings that the contract was illegal sufficient basis for the respondents' dismissal?

Court's Decision:

Upon review, the Supreme Court found the PCAGC had jurisdiction to investigate based on its mandate under AO 298, despite the respondents' assertion based on EO 151 that it did not. However, the Court also found that the Health Secretary failed to comply with administrative due process. While investigation can be delegated, the Health Secretary has the duty to make an independent assessment of the facts and law before imposing

disciplinary sanctions. This requirement is part of administrative due process, which was violated in the summary dismissal of the respondents.

**Doctrine:**

The administrative due process requires that the disciplining authority must make an independent assessment of the facts and the law before imposing disciplinary sanctions. A decision imposing administrative sanctions must illustrate the bases for its conclusions on its face.

**Class Notes:**

- The right to administrative due process includes: 1) right to a hearing, 2) evidence must be considered, 3) the decision must be based on something, 4) there must be substantial evidence, 5) the decision must be based on evidence presented, 6) the tribunal must act on its own consideration, and 7) the respondents must know why the decision was made.
- The Secretary of a department has disciplinary authority over employees in their department, but administrative due process must still be observed before sanctions are imposed.
- Executive Orders are binding directives from the President which dictate the jurisdiction and procedures of governmental bodies.

**Historical Background:**

This case reflects the balance between the delegation of investigative powers by executive authorities in administrative proceedings and the requirement for due process. It underscores due process's fundamental role in ensuring fairness within the bureaucratic system. The creation of the PCAGC and its powers, as well as the issuance of Administrative Orders such as AO 298, illustrate the procedural backdrop for dealing with corruption and misconduct within government services in the late 1990s in the Philippines.