

MARIA VILLEGAS, PETITIONER, VS. WORKMEN'S COMPENSATION COMMISSION AND REPUBLIC OF THE PHILIPPINES (BUREAU OF PUBLIC SCHOOLS), RESPONDENTS.

G.R. No. L-43258. October 30, 1978

Ponente: GUERRERO, J.

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GUERRERO, J.:

In a motion for reconsideration, petitioner seeks a partial reconsideration of Our decision promulgated September 30, 1977, the dispositive portion of which states:

"IN VIEW OF THE FOREGOING, the decision of the Workmen's Compensation Commission is hereby reversed and set aside and the original award made by the Hearing Referee, reinstated, awarding to petitioner the amount of P4,680.00 as compensation benefits; P200.00 as burial expenses; P9,463.30 as medical expenses; P234.00 as attorney's fees and P47.00 as administrative fee. No pronouncement as to costs."

Petitioner claims that the Hearing Officer, upon petitioner's motion for partial reconsideration dated May 27, 1975 and after further evaluation by the Regional Medical Rating Officer of the documentary evidence submitted at the hearing, amended his decision and issued a new one on June 6, 1975 granting the claimant the amount of P20,971.19 as reimbursement for medical expenses of the deceased. It is further claimed that the award for attorney's fees be reconsidered. Attached to the motion for partial reconsideration of Our decision is Annex "A" entitled Offer of Documentary Evidence listing the exhibits of bills, certificates, statements of account, receipts and invoices indicating the purpose of each document.

Respondent Republic, through the Solicitor General, objects to the increase in reimbursement of medical expenses from P9,468.30 to P20,971.19 on the ground that the Workmen's Compensation Commission failed to determine the propriety and reasonableness of the increased award and that there was need to re-evaluate the increased award of reimbursement of medical expenses by the Evaluation Division of the Commission as the order of September 29, 1975 issued by the Hearing Officer which denied Republic's motion for reconsideration did not demonstrate how much amount relates to the medical treatment and hospitalization of the deceased.

There is no merit to respondent's objection, it being shown clearly and satisfactorily that the medical expenses are fully substantiated by the receipts, bills and vouchers listed in Annex "A" which total over P30,000.00 but after evaluation by the Regional Medical Rating Officer were reduced to P20,971.19. The expenses appear to be necessary and reasonable, considering that the deceased suffered from uremia metastatic carcinoma of the rectum, and that he was also treated for diabetis, heart failure and hypertension necessitating operations, medications and confinements at the Bethany Hospital in Tacloban City and Manila Medical Center. There is no showing that the evaluation was excessive, unnecessary or unreasonable, nor that the Regional Medical Rating Officer acted arbitrarily or with personal bias or interest. It must be presumed that official duty had been duly performed in accordance with sound judgment, prudence and diligence carefully exercised by the Regional Medical Rating

Officer.

We also rule that the attorney's fees should be increased to 10% of the compensation benefits awarded herein.

WHEREFORE, Our decision is partially reconsidered, awarding to the petitioner the amount of P20,971.19 as reimbursement for medical expenses and payment of attorney's fees is increased to 10% of the compensation benefits in the amount of P468.00 in favor of petitioner's counsel, as well as P61.00 as administrative fee. All other portions of Our decision stand.

SO ORDERED.

Teehankee, (Chairman), Makasiar, Muñoz Palma, and Fernandez, JJ., concur.

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