CLARIFICATORY GUIDELINES ON THE COMPUTATION OF PREMIUM FOR THE MEMBERS UNDER THE FORMAL ECONOMY

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I. LEGAL BASES AND RATIONALE

Section 16 (Rates of Premium Contributions) of the Revised IRR of the National Health Insurance Act of 2013 specifically states that “members in the formal economy shall continue paying the monthly contributions to be shared equally by the employer and employee at a prescribed rate set by the Corporation not exceeding five percent (5%) of their respective monthly basic salaries.” Salary is defined in Section 3(fff) of the same IRR as “the basic monthly compensation paid regularly for services rendered.”

For purposes of further clarifying how premiums are computed for members under the formal economy, the monthly basic salary is hereby defined based on the following guidelines.

II. COVERAGE

This Circular covers all employed members in the Formal Economy and all employers in the government and private sectors.

III. GUIDELINES

The term Monthly Basic Salary (MBS) shall be understood to mean as the fixed basic rate of an employee which shall not include sales commission, overtime pay, allowances, thirteenth month pay, bonuses or other gratuity payments. Further to this, those deductions to the employee’s pay occasioned by his/her undertime, tardiness, leave(s) without pay, absences, or other similar circumstances shall also be excluded in this computation.

For the monthly-paid and daily-paid employees, the MBS shall be computed based on the estimated Equivalent Monthly Rate (EMR) consistent with the 2010 Edition of the Department of Labor and Employment-Bureau of Working

Condition’s Handbook on Worker’s Statutory Monetary Benefits wherein the MBS is clarified as follows:

> A. For daily-wage workers with a six-day work week schedule, who do not work and are not considered paid on Sundays or rest days shall be computed as follows:
> MBS = Applicable Daily Rate x 313
> 12
>
> Where 313 days/year shall refer to: 299 ordinary working days
>
> 11 regular holidays
> 3 special holidays

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B. For daily-wage workers with a five-day work week schedule, who do not work and are not considered paid on Saturdays and Sundays or rest days shall be computed as:

MBS = Applicable Daily Rate x 261
12

Where 261 days/year shall refer to: 247 ordinary working days
11 regular holidays
3 special holidays

C. Further, the daily rate for workers paid by results, including home workers and those who are paid on piece rate, takay, pakyaw, or task basis, shall receive not less than the prescribed minimum wage rates under the Regional Wage Order for normal working hours which shall not exceed eight (8) hours a day, or a proportion thereof. The monthly rate for the same shall then be computed based on the five-day or six-day work schedule, depending on the schedule of operations of the business establishment.

D. All government and private employers are required to register their employees and their qualified dependents by submitting a list of their employees complete with their salary base and other documents as may be required. No exemptions will be granted as this is a mandatory disclosure demanded from all government and private employers to ensure that they remit their employees' premiums in accordance with the prescribed rates.

E. Relative to employees with no earnings due to a lengthy leave without pay for more than six (6) months, provisions of PhilHealth Circular No. 32, s-2003 shall still be in effect.

III. REPEALING CLAUSE

All issuances inconsistent with this Circular are hereby repealed or modified accordingly.

IV. EFFECTIVITY CLAUSE

This Circular shall take effect after fifteen (15) days following its publication in a newspaper of general circulation and shall be deposited thereafter with the Office of National Administrative Register (ONAR) of the University of the Philippines Law Center.

(SGD) DR. CELESTINA MA. JUDE P. DE LA SERNA
Interim/OIC President and CEO

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