

ANUNCIACION ABEJURO, PETITIONER, VS. EMPLOYEES' COMPENSATION COMMISSION AND GOVERNMENT SERVICE INSURANCE SYSTEM, RESPONDENTS.

G.R. No. 89567. October 12, 1990

Ponente: MELENCIO-HERRERA, J.

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MELENCIO-HERRERA, J.:

Sometime in March 1984, petitioner Anunciacion Abejuro, a journalism teacher at Claro M. Recto High School, was confined at the Medical Center Manila for hypertension and coronary heart disease. Her claim, filed under Presidential Decree No. 626 (1975) with respondent Government Service Insurance System (GSIS) for temporary total disability, was approved.

On 19 November 1984, petitioner was admitted again in the same hospital for fever, headache, dizziness, chest pains and other bodily pains. Petitioner was initially treated for hypertension and chest pains. Upon further diagnosis, petitioner was also found to be suffering from urinary tract infection and gall bladder disease known as cholecystitis. Petitioner was operated on the gall bladder for cholecystitis. Three days after, petitioner had an attack of dyspnea and chest pains for which she was treated with the impression of congestive heart failure. On 7 December 1984, petitioner was discharged from the hospital but under continued medication.

Petitioner filed a claim for benefits for her second confinement. On 18 April 1985, her claim was denied by the GSIS on the ground that gall bladder disease is not an occupational disease and neither did her position as a teacher increase her risk of contracting the same. Petitioner moved for reconsideration urging that the illness was due to the nature of her job as a teacher. Upon re-evaluation, it was recommended that petitioner be granted temporary total disability benefits during the period of her second confinement. However, her claim for hospitalization benefits was again disallowed since the main reason for her confinement was for gall bladder disease which is not work connected.

Reconsideration was again filed, this time with the Claim Review Committee, which similarly disapproved the claim for compensation benefits based on the same grounds. On appeal, the Employees' Compensation Commission (ECC) in a resolution dated 7 July 1989, modified the Decision and ordered payment of medical expenses in connection with petitioner's heart ailment, but denied hospitalization and other benefits on account of petitioner's gall bladder disease.

Hence, this appeal.

The issue is whether or not petitioner is entitled to medical/hospitalization benefits for her second confinement.

Petitioner alleges that her second confinement was not only because of gall bladder disease; that when she was admitted, there were no findings yet of said disease and that she was, in fact, treated for hypertension and chest pains; that after her operation on 22 November 1984, she had attacks of hypertension and chest pains and was, in fact, treated for it; that even after being discharged, medications for hypertension and chest pains continued.

Petitioner concludes that she was concurrently treated for gall bladder disease and hypertension and chest pains.

The foregoing contentions are supported by the evidence on record, particularly, the medical findings, which disclose:

"After several days as the patient felt other discomforts, Dr. Emmanuel Trinidad, the attending physician made referral to another doctor for other complications. After referral, the other doctor suggested laboratory examinations. Findings other than hypertension and chest pains (heart) were revealed such as urinary tract infection and gall bladder disease. Observations and treatment continued for the rise of BP and blood sugar, and for other ailments. Operation on the gall bladder was recommended. But for several days, further observations and treatment for hypertension, chest pains and diabetes were made to stabilize BP and Blood Sugar.

"After 3 or 4 days of treatment to normalize BP and Blood Sugar, go signal for surgery was given. Patient was very, very weak. She even collapsed before and after operation. She stayed for 2 more days in the surgical recovery room after operation, before being sent back to the ward where her worried relatives were anxiously waiting for her. Then she had cardiac arrest in the ward because of a weak heart. Her BP and blood sugar were carefully, continuously checked. Medications continued in the ward.

"The patient was discharged on December 7, after fluctuations of Blood Pressure, Blood Sugar, and fever. Medications continue at home.

"Monthly check-up, laboratory examinations, and medications are going on up to the present."

Again, the attending physician's clinical diagnosis (Exhibit W) included "gall bladder disease, urinary tract infection, hypertension, coronary artery disease, diabetes." Petitioner's past medical history regarding illnesses related to the present (gall bladder) listed "diabetes, hypertension and cardiovascular disease," or heart ailment. The medical notes further disclose:

"Although the patient came in because of gall bladder disease, we also have to treat concurrently her other illnesses which include hypertension & coronary artery disease. In fact, the said illnesses gave complication during the pre-operation & post-operation period, thus prolonging her hospital stay, which ordinarily would be only 3-5 days for gall bladder operation."

Obviously, petitioner was treated concurrently for heart ailment and gall bladder disease. One illness could not be segregated from the other. In fact, an heart ailment can be aggravated by a gall bladder disease. Both had to be attended to at the same time. It was impossible to determine at what point in time the heart ailment was cured and when cholecystitis became the only remaining ailment. Hypertension and coronary artery disease continued give complications "during the pre-operation and post-operation period." Medications for both diseases were administered concurrently as shown by the receipts for medicines (Annexes L to V, inclusive).

Under the peculiar circumstances obtaining, it is but fair and just that petitioner's claim for hospitalization benefits during the entire period of her second confinement from 19 November to 7 December 1984 should be granted, it being impossible to state conclusively that her confinement for said period was exclusively for cholecystitis alone.

WHEREFORE, the petition is hereby GRANTED; the decision of the Employees' Compensation Commission dated 7 July 1989, is MODIFIED as to include the entire period of petitioner's second confinement from 19 November to 7 December 1984 including medical expenses, provided the same are duly supported by receipts.

SO ORDERED.

Padilla, Sarmiento, and Regalado, JJ., concur.

Paras, J., on leave.

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