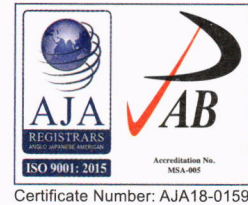




Republic of the Philippines
Department of Finance
INSURANCE COMMISSION
1071 United Nations Avenue
Manila



Circular Letter (CL) No.:	2019-30
Date:	21 June 2019
Supersedes:	NONE

CIRCULAR LETTER

TO : ALL HEALTH MAINTENANCE ORGANIZATIONS (“HMO”) DOING BUSINESS IN THE PHILIPPINES

SUBJECT : GUIDELINES IN THE HMO UNDERWRITING OF APPLICANTS WITH ACTUAL, PERCEIVED, OR SUSPECTED HUMAN IMMUNODEFICIENCY VIRUS (“HIV”) STATUS

WHEREAS, Republic Act No. 11166, otherwise known as the “*Philippine HIV and AIDS Policy Act*,” was signed by President Rodrigo R. Duterte into law on 20 December 2018, thereby repealing Republic Act No. 8504, otherwise known as the “*Philippine AIDS Prevention and Control Act of 1998*”;

WHEREAS, Section 42 of Republic Act No. 11166 provides that no person/s living with HIV “x x x shall be denied or deprived of private health insurance under a Health Maintenance Organization (HMO) x x x on the basis of a person’s HIV status”; and that this Commission “x x x shall implement this provision and shall develop the necessary policies to ensure compliance;”

WHEREAS, Section 49 (g) of Republic Act No. 11166 prohibits the “denial of health services, or being charged with a higher fee, on the basis of actual, perceived, or suspected HIV status” and considers the same a discriminatory act;

WHEREAS, in the interest of effective implementation of the above-quoted provisions of Republic Act No. 11166, this Commission finds a need to issue various guidelines the underwriting of HMO product applicants with actual, perceived, or suspected HIV status;

NOW THEREFORE, in accordance with the undersigned’s power to issue circulars concerning the regulation and supervision of the HMO industry pursuant to Section 4 of Executive Order No. 192, Series of 2015, and in accordance with Section 42 of Republic Act No. 11166, the following *Guidelines in the HMO Underwriting of Applicants with Actual, Perceived, or Suspected Human Immunodeficiency Virus (“HIV”) Status* are hereby promulgated and adopted, to wit: