



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



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INSURANCE COMMISSION ISSUES GUIDELINES ON UNDERWRITING HIV

The Insurance Commission (IC) has issued new underwriting guidelines in the assessment of risks of persons with actual, perceived or suspected to be with human immunodeficiency virus or HIV.

The guidelines determine the parameters to be considered for life insurance risk classifications and other underwriting purposes in cases of life insurance applications of persons with actual, perceived or suspected to be with HIV.

Insurance Commissioner Dennis B. Funa explained that with the new guidelines, insurance companies will be able to offer full underwritten life insurance to customers with actual, perceived or suspected to be inflicted with HIV.

“The issue on HIV requires a comprehensive approach in prevention, treatment and impact alleviation. Despite free anti-retro viral treatment, the lack of life insurance cover for persons with HIV continues to be a source of economic strain to them and their families. Thus, there is a need to provide insurance protection to these individuals,” Funa said.

The commissioner added that it is not required for insurance companies to create new insurance policies. “Instead, special underwriting standards would be applied into the existing life insurance policies.”

Under the guidelines, insurance companies may require applicants voluntarily to undergo HIV testing, pursuant to Article III of the AIDS Prevention and Control Act of 1998. The determination on whether or not HIV testing is necessary depends on certain parameters such as the age, occupation or lifestyle of the applicant.

An applicant with positive testing result would be reported to the Medical Information Database (MID) as long as the applicant agrees in compliance with the provisions of the Data Privacy Act of 2012.

The MID is a database of all medical information gathered by life insurance companies, as part of due diligence in their risk assessment process, from declarations made on company forms, those secured from medical examinations conducted on the insured applicant or policyholder or those sourced from records of medical service providers from which the insured applicant or policyholder may have sought.

Under the guidelines, insurance companies may provide insurance coverage to a person with HIV or a person diagnosed to be infected with HIV if the applicant is 1) undergoing proper medical treatment, 2) the applicant has a favorable risk profile; and 3) the results of the medical examinations required by insurance companies are within normal limits.

In case of newly discovered HIV positive individuals, insurance companies can postpone the issuance of a life insurance policy for a period of not more than one-year from the start of continuous Anti-Retro Viral Treatment (ART). The one-year period is necessary for the purpose of evaluation of compliance with and efficacy of the ART.

Applications of persons with HIV presented with co-morbidities, medical conditions or other risk factors, on the other hand, may be postponed or denied by an insurance company due to the presence of such co-morbidities, medical conditions or other risk factors.

The IC collaborated with the Home Office Life Underwriters Associations of the Philippines, the Philippine Society of Insurance Medicine, and the Philippine Life Insurance Associations-Medical Information Database, in crafting the new regulations.

Under the Philippine AIDS Prevention and Control Act of 1998, life insurance should not shun away a person on the basis of his/her actual, perceived or suspected HIV status, as long as the person does not conceal or misrepresent.

According to the Department of Health, the number of newly diagnosed with HIV per day has grown from 1 per day in 2008 to 22 per day in 2015. In September 2015 alone, there were 692 reported cases. A total of 1,309 deaths were reported from January 1984 to September 2015.


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