



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



INSURANCE MEMORANDUM
CIRCULAR NO. 2017-01

**RULES OF PROCEDURE FOR ADJUDICATION OF CASES AGAINST HEALTH
MAINTENANCE ORGANIZATIONS IN THE INSURANCE COMMISSION**

Pursuant to Section 4 of Executive Order No. 192, Series of 2015, which transferred the regulation and supervision of all Health Maintenance Organizations (HMOs) to the Insurance Commission (IC), the following Rules of Procedure for Adjudication of Cases against HMOs are hereby adopted and promulgated:

RULE I
TITLE AND CONSTRUCTION

SECTION 1. TITLE OF THE RULES. - These Rules shall be known as "The Rules of Procedure for Adjudication of Cases Against Health Maintenance Organizations in the Insurance Commission."

SECTION 2. CONSTRUCTION. - These Rules shall be liberally construed to carry out the objectives obtaining just, expeditious and inexpensive resolution and settlement of disputes.

SECTION 3. SUPPLETORY APPLICATION OF THE RULES OF COURT. - In the absence of any applicable provision in these Rules, the pertinent provisions of the Rules of Court of the Philippines may, in the interest of expeditious dispensation of justice and whenever practicable and convenient, be applied by analogy or in a suppletory character and effect.

RULE II
SCOPE AND JURISDICTION

SECTION 1. SCOPE AND JURISDICTION. - This Rules shall govern hearings of such claims and complaints where the issue/s pertain to membership issues or benefits and services issues with an HMO under an HMO agreement. Except as to the amount of actual damages, attorney's fees and costs, which include filing fees and litigation expenses, no other form of damages shall be recoverable.

This Rules will only apply for complaints filed by a member against an HMO. This Rules will not apply in disputes arising from the contractual relations between HMOs and affiliated hospitals, medical clinics, and physicians.