

## OPEN FORUM

### Mr. Valentino Baac Moderator

MR. BAAC: Thank you Donna. Good Morning. We have heard the very inspiring and encouraging speech of our honored guest, Atty. Delmer Cruz; the reactions of our discussants from Atty. Byron Bocar, with reference to the total empowerment that he is hoping, and the legislative agenda of the Akbayan in Congress. We have also heard from Ms. Villalba, the entrepreneurial advocacy that they are providing for returning Overseas Filipino Workers and the reaction from Engr. Ramirez. So the floor is now open for questions:

**ATTY. CRUZ:** May I just give a brief rejoinder on some points raised by each of the panel of reactors, the rejoinder can address either one of some of the issues commonly raised by them.

Firstly, on the point raised by Atty. Byron on the repeal of Sections 29 - 30 of RA 8042, I am one with him in that position. As a matter of fact, related to that is a pending case filed by the service providers, the recruitment and placement agencies against the POEA and one of the issues raised is the effectivity of Sections 29-30.

We believe and this is with due respect to the industry (the recruitment and placement agency) that we have not as yet reached the level of maturity that we want to reach, such that would warrant the regulation. Based on experience and at this juncture I would like to quote Justice Oliver Holmes "The life of the law is not based on logic but it is based on experience".

There are still many cases of illegal recruitment practices, reported cases of exorbitant charging of fees and the like. Though we have outstanding employers and agencies, there are still a good number of those *na hindi pa nararating yung* maturity that we expect. Likewise, there was a mention on credit assistance, this is a legislative initiative. As a matter of fact, we have in RA 8042, *ito yung binatikos kanina ni* Engr. Ramirez, "Pre-departure Loan and Family Assistance Loan". The pre-departure loan is an amount we extend to a departing OFW, instead *na mangungutang siya sa mga usurerò*, to pay for his fare RA 8042 provided for this.

Likewise, the Family Assistance Loan is to address consumption needs, this is not for livelihood. If there is a delay for one reason or another *hindi nakapag-remit or nakapagpadala ng pera sa family dito sa Pilipinas*.

However, for now, this is suspended because *hindi maganda ang* repayment rate. We are still crafting a mechanism. As a matter of fact, were talking to LBP, since the said law mandates OWWA to provide a loan guarantee fund in the amount of P100 million. And *nasa pipeline na ngayon*, we are polishing the Memorandum of Agreement which OWWA is about to ink with Landbank to put up mechanism in place *para naman ang*











up with a benefit package intended for OFWs/former OWWA members. This is for discussion of the Board. Example, *nagbabayad ka sa insurance premium*. But *dito sa aming dini-develop, hindi ka na actively na nagbabayad*, but in recognition of your previous payment for Y number of years, *siguro 2 or 3 years from the time you became inactive*, you will still be covered. *Isa yan sa mga naisip naman para sa kapakanan ng mga inactive na OFW or OWWA members.*

### **Dr. Concepcion Martirez of Zonta Club of Quezon City**

I have three points to bring out. For the information of the body, the NGOs have been conducting pre-departure orientation seminar and we try to emphasize the preventive aspect of contracting HIV, AIDS. On the economic reintegration, we tell our departing OFWs, right now before they leave the Philippines, they should have a certain project in mind which will really motivate them to work very hard in Honking, Singapore, et cetera. Emphasizing to them what will happen if they come back. We tell them if you do not have anything in mind, what will you do with the money? What for are you going there? Because you are just wasting your time. You are leaving your country, your family, children. When you come back, *Php 10,000 lang dito sa buksa na* after one or two months, *balik na naman*. If you have a project in mind, no matter how small it is and especially if you have been going back and forth, come up with a group association where you can really work together.

In terms of health, is there any OWWA Program or health program for those who are going to be operated on? We have read in the papers that the OFWs in Honking and other countries in Asia have been coming up with a picket line or strike because they would like OWWA again to be providing health services and we have heard from PHILHEALTH (Philippine Health Insurance Corporation or PHIC) that there are already plans on the part of the government especially on the part of President GMA to transfer all the OWWA health care funds to PHILHEALTH.

**ATTY. CRUZ:** As a matter of fact, that was one of the questions raised yesterday in the CCOFW meeting. At present, we have an OWWA Medicare Program, this is a special medicare program for OFWs. *Yung hindi mga OFWs dito ngayon, member tayo ng PHIC sa social health insurance program. Sa OFWs, meron sila except for the seafarers, na most of them ay sa PHIC naka-enroll, yung sa land-based and some sea-based, we have the OWWA Medicare Program.* Question, What is the status of the media report that it has been transferred or about to be transferred. As far as OWWA is concerned, we are not aware of any final Executive Order transferring the OWWA Medicare Program to PHIC. *Yung napabalitang mga mass actions na naganap sa Hong Kong, ito ay pahayag na pagtutol doon sa paglipat.* However, in this august assembly, kung sakali man na talagang mailipat yan, being an executive prerogative, *ang position diyen ng DOLE-OWWA* to which in our initial and informal discussions with PHIC (PHIC agreed in principle through Dr. Duque), these will be the conditions of the transfer: One, there shall be no increase in the enrollment fee of *Php900.00*. Normally at present, the minimum enrollment at PHIC is *Php1,200*. In the OWWA Medicare is *Php900.00* per year, that will be maintained; Two, there shall be no diminution in benefit package. At present, if you will compare the OWWA medicare program *vis a vis* PHIC, *merong advantage or superiority*. For example, in

catastrophic cases or dreaded diseases or illnesses, there is a reimbursement of 200%. They do not have that at the PHIC program, another advantage is the availability of the out-patient service. This answers the preventive. *Pag-ikaw ay miyembro, hindi mo na kailangan hintayin na ma-confine ka.* You can go to one of our accredited hospitals or clinic for a check up, with free vitamins, medicines and laboratory. The PHIC committed to retain this, including the services on site. One of the advantages of the OWWA Medicare, we have welfare officers, labor officers sa site *na ginagampanan nila pati yung mga health related welfare programs for the OFWs on site.*

Lastly, the retention of funds. The position of DOLE and OWWA, is to retain funds. *Kung* how much, that will be spelled out in the IRR of the EO. The retained funds will be invested and out of the investment earnings, *diyan idi-develop yung* additional medical benefit. Why do I say additional medical benefit? Because in a transfer regime, the OFW, *ang unang pupuntahan niya ay PHIC* and PHIC will reimburse so much (a certain percentage of the total *na ginastos nya*) Of course we all know, na hindi sasapat iyon at especially in cases where rehabilitation or further medication (example: renal failure, amputated, injured) that is the time when they already exhausted the PHIC, they will go to OWWA for the additional medical benefit.

**MR. BAAC:** Thank you very much for your questions and thank you for the answers from our speakers. We have more questions but we wish have more time but we will give this to our speakers. Incidentally, a couple of weeks from now we wish to see you again for another symposium and this time it will be for Overseas Absentee Voting Law.

**MS. LAGDAMEO:** *Marami pong salamat! Bago po tayo umalis o bago po tayo kumain ng tanghalian,* we would just like to request the Senior Vice-President of DAP to help us give the tokens to be assisted by the President of the Alumni Association Ms. Rosette C. Librea, to our Main speaker, Atty. Delmer Cruz, Akbayan Party List Representative Atty. Bayron Bocar, Ms. May Ann Villalba of *Unlad Kabayan* Migrant Services Inc. and Engr. Nelson Ramirez, President and Chairman of the United Filipinos Seafarers. Thank you! For the closing remarks, Ms. Rosette C. Librea, President of the Association of DAP Public Managers.