

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 618

Introduced by REP. FRANCIS G. ESCUDERO

EXPLANATORY NOTE

Problems on devolved health care system persist to this day, despite the mechanism established by the national and local government units.

Among the problems identified were: the non-implementation of the Magna Carta for Health Workers; delays and even non-payment of their salaries and benefits; and the diminution of funds intended for the delivery of health services thereby causing its fragmentation.

This Bill aims to address the flaws and issues raised against the decentralization of health services. In order to have a comprehensive and integrated health care delivery system as mandated by the Constitution of the Republic of the Philippines, RE-NATIONALIZATION OF HEALTH SERVICES is the only solution.

Hence, the immediate approval of this urgent measure is earnestly requested.

FRANCIS G. ESCUDERO

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AN ACT
REVERTING TO THE NATIONAL GOVERNMENT THE DISCHARGE OF BASIC HEALTH SERVICES DEVOLVED TO LCOAL GOVERNMENT UNITS (LGUs) AND AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991

Be it enacted by SENATE and HOUSE OF REPRESENTATIVES of the Philippines in Congress assembled:

SECTION 1. *Title* - This Act shall be known as the "Renationalization of Devolved Health Services and Facilities Act."

SECTION 2. *Declaration of Policy* - It is the declared policy of the State that it shall protect and promote the right to health of the people and instill health consciousness among them. Further, the State shall endeavor to make essential goods, health and other services available to all the people at affordable cost.

SECTION 3. *Objectives* - The objectives of this Act are: a) To prevent the further deterioration of government health services and facilities brought

about by devolution; b) to provide essential health services to the people, especially the sick, the poor and marginalized sector of society; c) improve and uplift the morale, social and economic well-being of devolved health workers; and, d) to develop a professional health manpower that is responsive to the people's health needs and problems.

SECTION 4. *Renationalization* - All health services and facilities devolved to the local government units are hereby re-nationalized or returned to the national government. For this purpose, the following provision of the Local Government Code or RA 7160, are hereby deleted and declared no longer enforceable and effective: Section 17 (b) paragraph (1) (ii), paragraphs (3) (iv), and (4) for health services only; Section 102 (1), (2), (3), (b) (1), (2) and (3); Section 103 (a) and (b); Section 104; Section 105 and other related provisions of the Local Government Code that pertains to devolved health services and facilities.

SECTION 5. *Authority to Use Income* - Renationalized hospitals and Rural Health Units/Centers are hereby authorized to use their income derived from their operation to improve and upgrade their services: Provided, That the supporting financial and work plans are first approved by the Secretary of Health.

SECTION 6. *Appropriation* - In the year following the enactment of this Act into law, the cost of the devolved health services and facilities as of December 31, 1992 shall be deducted by the Department of Budget and Management from the Internal Revenue Allotment of the local government units concerned and shall be used as funding source to implement the provision of this Act. Any deficiency shall be charged against the Organizational Adjustment Fund and appropriations saving/reserves.

Thereafter, such sums as may be needed for its continued implementation shall be included in the Annual General Appropriations Act.

The Internal Revenue Allotment of Local Government Units in the succeeding years shall be net of the cost of devolved health services and facilities as of December 31, 1992.

SECTION 7. *Implementing Rules and Regulations* - The Department of Health shall formulate the Implementing Rules and Regulations within three (3) months after the enactment of this Law.

SECTION 8. *Repealing Clause* - All laws, presidential decrees, executive orders, and rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 9. *Separablity Clause* - If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions thereof shall not be effected thereby.

SECTION 10. *Effectivity* - This Act shall take effect immediately upon its approval.

Approved,