

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

THIRTEENTH CONGRESS

First Regular Session
709

House Bill No. _____



Introduced by REP. JUDY J. SYJUCO

EXPLANATORY NOTE

The increasing rate of globalization in the twenty-first century brought about by revolutionary technological advances has witnessed the transformation of relationships among countries and peoples. Physical distance between nations has been significantly reduced, and people have acquired greater access to goods, services, capital, and information. These conditions have allowed an increasing number of people to live and work in countries other than their own. According to a United Nations (UN) report in 1998, 120 million or about 2.3% of the world's population live in countries other than that of their birth.

Based on a UN study in 1998, the Philippines ranked fifth (5th) among countries with the highest rates of emigration. As of December 2000, the Philippine government estimated that there were about 7.38 million Filipinos working and living abroad, or about 10% in relation to the total Philippine population. Of this number, 2.99 million are overseas Filipino workers, 2.55 million are permanent residents, and 1.84 million are irregular migrants.

The creation of an Overseas Filipino Workers Medical Center is hereby proposed to promote and advance the medical welfare of our Overseas Filipino Workers' (OFWs). As the State affirms the OFWs' health and medical needs for a suitable environment, it shall provide the proper venue to address these needs.

It has become apparent that the movement not only of goods and basic services to our people should be safeguarded by the State, but more so of its people. As the patterns of migrant labor continue to become more complex and amalgamated, globalization and borderless economies will further blur geographical boundaries and facilitate the movement of labor between countries.

As hundreds of thousands of Filipino men and women work with sweat and blood in foreign lands to assure a better life for their families back home, the creation of an Overseas Filipino Workers Medical Center will be a gift to our modern-day heroes. It will finally give them the medical security and confidence that their welfare and interests are being safeguarded.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


JUDY J. SYJUCO

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Introduced by REP. JUDY J. SYJUCO

AN ACT

**CREATING THE OVERSEAS FILIPINO WORKERS (OFW) MEDICAL CENTER
DEFINING ITS POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR,
AND FOR OTHER PURPOSES**

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Creation of the Overseas Filipino Workers (OFW) Medical Center; Board of Trustees.* – There is hereby created a trust for the benefit primarily of Overseas Filipino Workers (OFWs), under the name and style of Overseas Filipino Workers Medical Center, hereinafter referred to as OFW Medical Center.

The OFW Medical Center shall be administered by a Board of Trustees, composed of seven (7) members, to be appointed by the President of the Philippines. The Director of the Center shall be appointed by the Board of Trustees.

The six (6) appointive members of the Board of Trustees shall serve without compensation for a period of four (4) years and until their successors shall have been appointed and qualified. Any vacancy in the Board shall be filled by appointment by the President of the Philippines, and the appointee shall serve for the unexpired term. The Board of Trustees of the OFW Medical Center shall elect a Chairman from among themselves, who shall be presiding officer of the Board of Trustees.

The Director of the OFW Medical Center shall serve as Vice Chairman of the Board. The director shall act as Chief Executive Officer of the OFW Medical Center, with authority, among others, to appoint, remove, and fix the compensation of the personnel thereof, subject to the approval of the Board of Trustees.

Four (4) members of the Board of Trustees shall constitute a quorum to transact business and any decision of such four (4) members on any matter duly presented to the Board of Trustees shall constitute a valid and binding act of the OFW Medical Center.

SECTION 2. *Government's Contributions.* – The Government shall contribute the necessary land, building, equipment and facilities to the OFW Medical Center, and shall pay such obligations for real, personal and mixed properties arising from such undertaking under a deferred payment arrangement within five (5) years, at a preferred rate of interest.

SECTION 3. *Property of the Center.* – The Property of the OFW Medical Center shall consist of real, personal, mixed and other type of property, now owned or reserved for, or may hereafter be given, donated, acquired, transferred or conveyed to, the OFW Medical Center by the Philippine Government, its branches and instrumentalities, any foreign government, as well as by trust, foundations, corporations, or persons, alien or domestic, in order to carry out its purposes and objectives as set forth herein.

SECTION 4. Purposes and Objectives. – The purposes and objectives of the OFW Medical Center are:

1. To construct, establish, operate, and maintain a medical center for Overseas Filipino Workers and their families;
2. To promote, encourage, and engage in scientific research on the prevention and the care and/or treatment of common and recurring cases of sickness among OFW patients and related activities, including sponsorship and conduct of relevant congresses, conventions, seminars and conferences;
3. To stimulate and/or underwrite scientific researches on the biological, demographic, social, economic, eugenic, physiological aspects of common or rare OFW illnesses; and gather, compile, and publish the findings of such researches for public dissemination;
4. To facilitate and encourage the dissemination and exchange of ideas and information on the prevention, treatment, and control of such diseases; to arouse, enhance and develop public interest or awareness;
5. To encourage and/or undertake the training of physicians, nurses, medical technicians, health officers and social workers on the practical and scientific conduct and implementation of medical services and other related activities;
6. To encourage the formation of other organizations on the national, provincial, city, municipal or barangay level and to coordinate their various efforts and activities for the purpose of achieving a more effective programmatic approach on the common problems relative to the objectives herein enumerated; and
7. To extend medical services to the OFWs and their families, to help prevent, relieve or alleviate their innumerable medical afflictions and maladies.

SECTION 5. *Powers.* — For the attainment and/or furtherance of the above-mentioned purposes and objectives, the OFW Medical Center, as a body corporate, acting through its Board of Trustees, shall have all the powers pertaining to a juridical person, and is therefore authorized, among other things:

1. To acquire and hold in any matter property of whatever nature or description, and to dispose of such property under any mode of encumbrance or conveyance;
2. To contract and be contracted with;
3. To mortgage, lease, sell, transfer, convey or otherwise dispose of its properties;

4. To solicit and receive donations, endowments and funds in the form of contributions, whether in cash or in kind, from both the public and private sectors;
5. To open such accounts in banks and other financial institutions, and to disburse such funds or invest the same as the Board may direct to accomplish or advance the purposes or interest of the OFW Medical Center;
6. To invite foreign medical specialists and similar experts in the various medical fields to train the personnel or trainees or residents of the OFW Medical Center;
7. To send the personnel of the OFW Medical Center to research institutes, medical institutes or universities for advance training or observation and to attend international or regional conventions, conferences, congresses, and seminars as the Board may deem necessary to accomplish the purposes and objectives of the OFW Medical Center.;
8. To adopt a set of by-laws, rules and regulations not inconsistent with law and the provisions hereof to govern the administration and operation of the affairs of the OFW Medical Center; and
9. To do all such other acts and things as may be necessary or incidental for the accomplishment of the purposes and objectives of the OFW Medical Center.

SECTION 6. *Tax Exemptions, etc.* – All donations, contributions or endowments which may be made by entities or persons to the OFW Medical Center shall be exempt from income and gift taxes.

The OFW Medical Center shall be exempt from the payment of all taxes, charges and fees imposed by the Government or any political subdivision or instrumentality thereof for a period of ten (10) years.

All income earned by foreign doctors who shall use the facilities of the Center shall be tax exempt for a period of ten (10) years from the date of issuance hereof.

SECTION 7. *Assistance from government offices, etc.* – The OFW Medical Center may call upon any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in the pursuit of its purposes and objectives.

All individuals, entities, and institutions are hereby enjoined to render full assistance and cooperation to the OFW Medical Center in the accomplishment of its objectives and activities.

SECTION 8. *Government Contribution.* – The amount of Five Hundred Million Pesos (P500,000,000.00) is hereby appropriated as contribution of the National Government for the initial operations and maintenance of the OFW Medical Center. Thereafter, the necessary amount to support the continued operation and maintenance of the OFW Medical Center shall be appropriated and included in the Annual General Appropriations Act.

SECTION 9. *Auditing.* —The books and accounts of the OFW Medical Center shall be subject to periodic auditing by the Chairman of the Commission on Audit or his duly authorized representative.

SECTION 10. *Annual Report.* – The OFW Medical Center shall render to the President of the Philippines and to the Secretary of the Department of Health an annual report of its activities and recommendations.

SECTION 11. *Effect of dissolution of the Center.* – If for any reason, the OFW Medical Center is dissolved, its property remaining at the time of such dissolution shall revert back to the Philippine Government for disposition in accordance with law.

SECTION 12. *Repealing Clause.* -- All laws, orders, decrees, rules and regulations, issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 13. *Separability Clause.* -- If any part of this Act is held unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 14. *Effectivity.* -- This Act shall take effect fifteen (15) days after completion of its publication in at least two (2) national newspapers of general circulation.

APPROVED,