

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress
3rd Regular Session

House Bill No. 5741



Introduced by Hon. Antonio P. Yapha Jr., MD

AN ACT
ESTABLISHING THE PHILIPPINE CENTER FOR SPECIALIZED
HEALTH CARE, PROVIDING FOR ITS ADMINISTRATION AND
SUPPORT AND FOR OTHER PURPOSES

EXPLANATORY NOTE

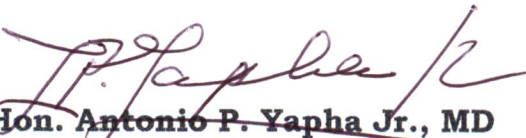
It is the policy of the State to protect and promote the right to health of its people. This can be pursued by undertaking appropriate health manpower development which is responsive to the country's health needs and problems. Recently, there has been a resurgence of heart, kidney, and lung problems which have caused economic dislocation and the eventual curtailment of the enjoyment of productive and happy life.

Medical centers such as the Philippine Heart Center, the Lung Center of the Philippines, the National Kidney and Transplant Institute, and the Philippine Children's Medical Center, which provide specialized medical services were established individually and organized as government corporations which function independently on each other. Their services for patients and their teaching and research functions are pursued with minimum coordination, if any, among each other.

There is need therefore to integrate and rationalize these specialty centers by establishing a Philippine Center for Specialized Health Care that will consist of existing facilities in order to achieve a more effective and efficient implementation of resources and thereby improve the health care delivery system in the country.

Moreover, the proposed bill seeks to establish the Philippine Center for Specialized Health Care to serve as a teaching, training and research institution for students of medicine and its allied fields, residents and post-graduate fellows. Also, the Philippine Center for Specialized Health Care shall be developed and maintained as a medical tertiary care institution to serve the public.

Approval of this bill is urgently requested.


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

TITLE I

GENERAL PROVISIONS

SECTION 1. *Establishment of the Philippine Center for Specialized Health Care.* - There is hereby established a Philippine Center for Specialized Health Care, hereinafter referred to as the Center, which shall be attached to the Department of Health. The Center shall provide specialized medical services, professional and advanced medical training and research to make Philippine medicine and its services globally competitive. It shall make its services and resources available to the public, especially the indigents.

SECTION 2. *Component Units.* - Without prejudice to Section 7 (b) the Center shall consist of the following specialized research centers and hospitals:

1. The Philippine Heart Center
2. The Lung Center of the Philippines
3. The National Kidney and Transplant Institute
4. The Philippine Children's Medical Center; and
5. The East Avenue Medical Center

SECTION 3. *Purposes and Functions.* - The purposes and functions of the Center are as follows:

- a. To formulate, develop and implement an integrated and comprehensive specialized medical health care program;
- b. To operate specialty medical institutions mentioned in Section 2, as well as any other component unit which may be established pursuant to Section 7 (b);
- c. To provide integrated specialty medical services to the public;
- d. To provide medical practitioners, advanced instruction and training pertaining to its specialized health care programs;

- e. To create and implement undergraduate, internship, residency, and post-residency programs for medical students and physicians;
- f. To undertake research in various medical and health fields covered by its program;
- g. To train physicians, nurses, medical technicians, nutritionist-dietitians, pharmacists, other members of the medical and other allied medical fields for the purpose of implementing its program;
- h. To engage in a continuing education and information campaign on the nature, prevention, treatment and control of the various diseases covered by its program;
- i. To develop, strengthen and enhance the capabilities and technical skills for specialized medical care of all regional hospitals of the Department of Health; and
- j. To coordinate with the Philippine Hospital Association, as well as with non-governmental organizations, in delivering specialty care to the people.

SECTION 4. *The Powers of the Center.* - The Center shall have the power of a corporation, the powers set forth in this Act and such other powers as may be granted to it by other laws.

TITLE II

THE MANAGEMENT OF THE PHILIPPINE CENTER FOR SPECIALIZED HEALTH CARE

SECTION 5. *The Board of Trustees.* - The government of the Center shall be vested in the Board of Trustees. It shall be the highest policy-making body of the Center. The Administration of the Center and the exercise of its powers are vested in the Board of Trustees as well as in the President of the Center insofar as authorized by the said Board.

SECTION 6. *Composition of the Board of Trustees.* - The Board of Trustees shall be composed of the Secretary of Health as the Ex-Officio Chairman, the Chairman of the Committee on Health of the Senate, the Chairman of the Committee on Health of the House of Representatives, the President of the Center, the Executive Directors of the component units of the Center and three (3) members from the private sector to be appointed by the President of the Philippines.

SECTION 7. *Powers of the Board of Trustees.* - The Board of Trustees shall have the following powers and duties in addition to its general powers of administration:

- a. To receive and appropriate to the ends specified by law such sums as maybe provided by law for the support of the Center;
- b. To provide for the establishment of additional component units;
- c. To appoint, on recommendation of the President of the Center, physicians, nurses, nutritionist-dietitians, pharmacists, and other medical staff members, instructors, researchers, other employees of the Center; to fix their compensation, hours of

- service, and such other terms and conditions as it may deem proper consistent with civil service laws, rules and regulations;
- d. To receive in trust, gifts, legacies and donations of real and personal property for the benefit of the Center or of any of its component units;
 - e. To establish a fund raising program to supplement the funds appropriated by the government;
 - f. To prescribe rules for its own government;
 - g. To enact for the administration of the Center such ordinances and regulations, not contrary to law as are consistent with the purposes of the Center;
 - h. To create an Executive Committee to assist the Board in the implementation of its policies; and
 - i. To exercise such other purposes as may be necessary for the proper discharge of its functions and for the attainment of the purposes of the Center.

SECTION 8. *The Chairperson.* - The Chairperson of the Board of Trustees shall preside over all its meetings. In his absence, the following shall act as Chairperson in the order herein stated: The President of the Center, then the other appointive members of the Board in the order of seniority of their appointment.

SECTION 9. *Meetings, Quorum* -

- a. Regular meetings of the Board shall be held once a month.
- b. Special meetings may be held as often and whenever necessary as may be called by the Chairperson or by the President of the Center.
- c. A quorum of the Board of Trustees shall consist of a majority of all the members holding office at the time of the meeting of the Board is called.

SECTION 10. *Annual Report.* - On or before the first Friday following the opening of the regular session of Congress, the Board of Trustees shall submit to the President of the Philippines and to Congress a detailed report setting forth the progress, conditions and needs of the Center.

SECTION 11. *The President of the Center.* - Leadership of the Center is vested in the President who shall be appointed by the President of the Republic of the Philippines from among the nominees of the Center's Board of Trustees.

SECTION 12. *Terms and Qualifications of the President.* - The President of the Center shall serve for a term of three (3) years without prejudice to only one reappointment to the same position. In case of vacancy in the Office of the President of the Center before the lapse of the term of the incumbent, the person appointed in accordance with Section 11, to fill the vacancy shall serve only for the unexpired portion of the term. The President of the Center shall have the appropriate management and financial expertise, and preferably an extensive exposure or experience in Hospital Administration of a tertiary level hospital with training/teaching facilities.

SECTION 13. *Powers of the President of the Center.* - The President of the Center shall have the following powers and functions:

- a. To exercise general supervision over the day to day operations of the Center;
- b. To carry out the policies laid down by the Board of Trustees;
- c. To coordinate the activities of the various component medical units of the Center;
- d. To prepare an annual report to the Board of Trustees on the work of the past year and the needs of the current year. He/She shall also present to the Board of Trustees the annual budget of the Center with estimates of income and expenditures;
- e. To execute and sign in behalf of the Center all contracts, deeds and other instruments necessary for the proper conduct of business of the Center;
- f. To exercise such other powers as may be delegated to him/her by the Board of Trustees.

SECTION 14. *Hospital Director.* - Each component unit of the Center will have an Executive Director appointed by the Center's Board of Trustees for a term of six (6) years. The Executive Director of the component unit shall administer, direct and coordinate all activities of the hospital to carry out its objectives in the provision of health care, furtherance of education and research, and participation in community health programs. He/She shall have an extensive experience and training in Hospital Administration and proven managerial capability in running a tertiary level hospital (preferably with training facilities).

SECTION 15. *Other Officers.* - The Board of Trustees may appoint such other officers as may be necessary for the operation of the Center.

TITLE III

FISCAL AUTONOMY AND ACCOUNTABILITY

SECTION 16. *Fiscal Autonomy.* - a. All income, receipts and fees accruing to or derived by the Center for its operation shall, upon their collection, be automatically released to the Center.

b. All appropriations for government assistance to the Center under the annual appropriations law and any supplemental or deficiency appropriations shall be paid in lump sum. The Center shall submit a program of expenditures for the approval of Congress.

SECTION 17. *Auditing.* - All accounts and expenses of the Center shall be audited by the Commission on Audit.

TITLE IV

MISCELLANEOUS PROVISIONS

SECTION 18. *Property of the Center.* - The property of the Center shall consist of such real and personal property, now owned or reserved for, or may hereafter be given, donated, acquired, transferred or conveyed to the Center by the Philippine government, its branches and instrumentalities, any foreign government, as well as by trusts, foundations, corporations, as persons, alien or domestic, in order to carry out its purposes and objectives as set forth herein.

SECTION 19. *Budgetary Estimate.* - Such sum as may be necessary for the implementation of this Act is hereby authorized to be appropriated out of any funds in the National Treasury not otherwise appropriated. Thereafter, the amount needed for the operation and maintenance of the System shall be included in the annual Appropriations Act.

SECTION 20. *Repealing Clause* - Provisions of P.D. No. 1411, P.D. No. 1823, P.D. No. 1832, P.D. 1631, P.D. No. 673, or any provisions of law or rules and regulations or any part thereof, inconsistent with the provisions of this Act is hereby repealed, amended or modified accordingly.

SECTION 21. *Separability Clause.* - If any separable provision of this Act be declared unconstitutional, the remaining provision shall continue to be in force.

SECTION 22. *Effectivity.* - This Act shall take effect fifteen (15) days after publication in the Official Gazette or in two (2) newspapers of national circulation.

Approved.