

HOUSE OF REPRESENTATIVES

House Bill No. 359

Introduced by Representative Susan A. Yap

EXPLANATORY NOTE

The Constitution, Article II, Section 11 states:

“SECTION 11. The State values the dignity of every person and guarantees full respect for human rights.”

Likewise, Article XV, Section 4 provides:

“SECTION 4. The family has the duty to care for its elderly members but the State may also do so through just programs of social security.”

Further, Article XIII, Section 11 provides:

“SECTION 11. The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers.”

Filipino family members have always cared for its elderly members. Given a choice, most Filipinos would want their elderly to remain with them. Unfortunately, majority of the elderly gradually lose their functioning ability and require additional assistance in the homes or elderly facility. However, the changing economic and social environment of the country wherein Filipinos go abroad to support their family, the decreasing Filipino family size and number of house helpers, and increased life expectancy of elderly people require the State to step in to ensure that the special needs and requirements of elderly Filipinos will be addressed.

The Province of Tarlac, which is classified as a first class province and has a total land area of 3,053.45 square kilometers, is situated in the center of the Central Plain of Luzon. Considering its size and location, Tarlac can provide the rural atmosphere that is needed to nurture the elderly and provide them with a restful environment.

This bill seeks to fill this need by establishing an elderly care and nursing complex in the Province of Tarlac.


REP. SUSAN A. YAP
Representative, 2nd District, Tarlac

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AN ACT TO ESTABLISH AN ELDERLY CARE AND NURSING COMPLEX
IN THE PROVINCE OF TARLAC

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

SECTION 1. *Short Title.* – This Act shall be known as the “Tarlac Elderly Care and Nursing Complex Act of 2010”.

SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to provide elderly care and nursing complex in every local government unit by providing quality and affordable care and nursing facilities to elderly Filipinos. However, for purposes of this Act, a pilot elderly care and nursing project complex will be constructed in the Province of Tarlac to serve as the testing site and ultimately the model for such elderly care and nursing complex.

SECTION 3. *Definition of Terms.* – For purposes of this Act, the following terms are hereby defined:

- a) ***Elderly*** – is a person who is sixty (60) years old and above.
- b) ***Elderly Care*** – is the fulfillment of the special needs and requirements of the elderly.
- c) ***Nursing Complex*** – refers to the place and the facilities that are designed to provide skilled care to the elderly twenty-four hours a day, seven days a week.

SECTION 4. *Coverage.* – This Act shall apply to all elderly persons who wish to avail of the elderly care and nursing complex in Tarlac and/or whose family members cannot provide or meet the special needs and requirements of the elderly.

SECTION 5. *Administration and Supervision.* – The Provincial Governor shall designate the area in the province where to establish the proposed elderly care and nursing complex.

He shall appoint the person or entity who will administer and supervise the elderly care and nursing complex.

SECTION 6. *Role of Government Agencies and Instrumentalities.* – Government agencies and instrumentality shall provide the necessary assistance and support to fulfill the needs of the elderly residing in this elderly care and nursing complex.

SECTION 7. *Role of Family Members.* – Family members shall be provided with adequate information on the System as well as for sharing experiences to enable them to care for their elderly.

SECTION 8. *Personnel Recruitment and Incentives.* – All personnel involved in the Complex shall have adequate and appropriate education and training to be determined by the Department of Health, in consultation with the Department of Social Work and Development.

SECTION 9. *Appropriations.* – To carry out the provisions of this Act, there is hereby appropriated the sum of Fifty Million Pesos (P50,000,000.00) from the General Appropriations Act for the current year. Thereafter, the appropriation for such funds as may be necessary for the purpose shall be provided for in the General Appropriations Act.

SECTION 10. *Repealing Clause.* – All provisions of laws, orders, decrees, including rules and regulations inconsistent herewith are hereby repealed and/or modified accordingly.

SECTION 11. *Separability Clause.* – If any part or provision of this Act shall be held to be unconstitutional or invalid, other provisions hereof which are not effected thereby shall continue to be in full force and effect.

SECTION 12. *Effectivity.* – This Act shall take effect fifteen (15) days following its complete publication in at least two (2) national newspapers of general circulation.

Approved,