

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

Fifteenth Congress
First Regular Session

HOUSE BILL NO. **767**

Introduced by Honorable Edgar S. San Luis

EXPLANATORY NOTE

The Philippine Nursing Association disclosed that with the decline of demands for nurses in the United States and United Kingdom – the two biggest employers of Philippine nursing graduates – more and more nursing graduates end up unemployed while many of them shifted to work in call centers, retail stores and other non-professional positions. Those who are lucky enough to obtain employment abroad usually end up as caregivers, dental assistants, nursing aides, etc.

The lack of employment opportunities for nurses in the country makes them vulnerable to become victims of unscrupulous practices. For example, some hospitals demand payment of certain sums of money from nurses who want to gain the necessary work experience required for working abroad. This is plain and simple exploitation. Instead of giving the nurses the compensation they deserve for services rendered, these nurses are obligated to pay the hospitals in exchange for the work experience. No matter how the hospital administrators call the pernicious practice - whether it is training, skills building, volunteer work or whatever, it is unfair to the nurses and their parents who toiled hard and spent money just so their children will become nurses.

In view of the foregoing considerations, this bill seeks to penalize all hospitals, both public and private, which demand payment from graduate nurses in exchange for actual nursing experience gained while working in a particular hospital.

This bill was filed during the 14th Congress but due to time constraints, it was never taken up in the committee level. Therefore the said bill is re-filed for the consideration of this Congress.

Approval of this bill is urgently recommended.


EDGAR S. SAN LUIS

Republic of the Philippines
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HOUSE BILL NO. 767

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AN ACT
PROHIBITING PUBLIC AND PRIVATE HOSPITALS FROM
REQUIRING THE PAYMENT OF MONEY UPON POST GRADUATE
NURSES WHO WANT TO GAIN WORK EXPERIENCE FROM THEIR
HOSPITALS AND PENALIZING ANY VIOLATION THEREOF.

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

SECTION 1. Any public or private hospital is hereby prohibited from requiring the payment of money upon post graduate nurses who want to gain work experience in the hospitals.

SEC. 2 Any person who is found guilty of violating this Act shall suffer the penalty of imprisonment of not less than six (6) months but not more than one (1) year and a fine of not less than one hundred thousand pesos (P100,000.00) but not more than five hundred thousand pesos (P500,000.00).

If the offender is an association, corporation, or any other juridical person, the penalty shall be imposed upon the president, treasurer, owner or any other person responsible for the violation. In addition, a warning shall be issued to the hospital for the first offense,

suspension of license to operate for a period of not less than one (1) month but not less than six (6) months for the second offense and cancellation of license for the third offense.

If the offender is a foreigner, he shall be deported immediately after service of sentence and be barred permanently from entering the country.

SEC.3. Any post graduate nurse who shall be required by the hospital to pay in violation of Section 1 hereof shall be refunded the full amount paid to the hospital plus interest of six percent (6%) per annum until fully paid. In addition, a salary equivalent to not less than the minimum wage or an amount as may be fixed by the court shall be paid by the hospital for services rendered.

SEC.4. All laws, decrees, orders, rules and regulations, and other issuances, or parts thereof, inconsistent with this act are hereby repealed or amended accordingly.

SEC.5. This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,