

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
2nd Regular Session)

House Bill No. 5984



AN ORDINANCE PROVIDING FOR A SOCIAL JUSTICE AND WELFARE PROGRAM FOR THE PROTECTION AND CARE OF THE ELDERLY, WITHIN TERRITORY OF QUEZON CITY WITHOUT ANY IDENTIFIABLE FAMILY MEMBERS OR WITHOUT ANY MEANS OF SUPPORT/APPROPRIATE FUNDS THEREOF, AND FOR OTHER PURPOSES.

Introduced by :

MA. THERESA B. BONOAN-DAVID

Representative, 4th District, City of Manila

EXPLANATORY NOTE

Our country has a constitutional mandate to show the State's gratitude for our elderly's asperities, sacrifices and great contribution without which, we would not have been where we are now, this bill seeks to introduce measures in order to ensure the protection of our elderly. For this purpose, priority shall be given to promote the health and welfare of the elderly, especially those who are indigent, sickly and without family support.

In consonant to this constitutional directive, the proposed measure seeks to protect and provide the welfare benefits that will ensure the basic health needs of our elderly. It mandates that all the elderly in need shall be entrusted in the care of the proper institution. Health needs and hospitalization support are also provided.

The State must not ignore the worsening situation of our elderly, especially those with no identifiable family member or without any means of support or sustenance. It must be the vanguard in providing better collective and institutional support to boost the role of traditional support systems such as the family in the care of our elderly.

Immediate passage of this bill is highly needed.

ATTY. MA. THERESA B. BONOAN-DAVID

HOUSE OF REPRESENTATIVES
House Bill No. 5984

Introduced by : **MA. THERESA B. BONOAN-DAVID**
Representative, 4th District, City of Manila

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 "The Welfare and Protection Act for the Elderly of 2009".

SEC.2. Declaration of Policy. - It is the declared policy of the State to protect the elderly in society. For this purpose, priority shall be given to promote the health and welfare of the elderly, especially those who are indigent, sickly and without family support.

SEC.3. Definition of Terms. - For purposes of this Act, the following terms are defined:

- a.) "*Home for the Aged*" refers to any twenty-four hour residential care facility or center, whether public or private, duly accredited by the Department of Social Welfare and Development (DSWD), that provides shelter and care to five or more elderly, whether able-bodied or disabled;
- b.) "*Elderly*" refers to any male or female, 60 years old and above, with no identifiable family member or without any means of support or sustenance;
- c.) "*Hospitalization*" refers to the event where the elderly necessitates medical care in a hospital, whether in-patient or out-patient.

SEC.4. Coverage. - All elderly, under the care of the home for the aged institutions, whether public or private, with a reputable track record in participating and contributing to the betterment of the elderly shall be covered by the provisions of this Act.

SEC.5. Mandatory Philhealth Enrolment. - The national government through the DSWD shall ensure that all elderly covered by this Act, are bona fide members of Philhealth. Philhealth premiums of such elderly shall be regularly paid by the national government through the DSWD.

SEC.6. Entrusting of Care to Centers. - All elderly, as defined in Section 3(b) of this Act must be entrusted under the care and custody of recognized home for the aged institutions duly accredited by the DSWD.

SEC.7. Regular Checkups. - The home for the aged institution shall facilitate the monthly visits of medical personnel to the elderly centers to make sure that the health issues of the elderly are monitored and addressed properly.

SEC.8. Hospitalization. - In the event that the hospitalization of the elderly is necessary to his or her health and well-being, the home for the aged institution must immediately attend to such need. The hospitalization bill of the elderly in a hospital shall be paid by the State through the DSWD. A special fund in the amount of

P150,000,000.00 (One Hundred Fifty Million Pesos) shall be set aside annually by the DSWD for the payment of the hospitalization bills.

SEC.9. Registration and Inspection. - The Secretary of DSWD shall cause the creation and maintenance of a register for all licensed home for the aged institutions. The Secretary shall also cause and order the inspection of the premises of the home for the aged institutions to ensure that a healthy environment is maintained for the elderly.

SEC.10. Implementing Rules and Regulations. - The Senate and the House, in consultation with the Department of Social Welfare and Development (DSWD), Department of Interior and Local Government (DILG), Department of Health (DOH), NGO's and other agencies deemed necessary to consult, shall issue the Implementing Rules and Regulations (IRR) within ninety (90) days after the approval of this Act.

SEC.12. Separability Clause. - If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC.13. Repealing Clause. - All laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders or rules and regulations, which may be inconsistent with this Act shall be deemed repealed, amended or modified accordingly.

SEC.14. Effectivity Clause. - This Act shall take effect fifteen (15) days following its publication in two (2) newspapers of general circulation.

Approved,