

SIXTEENTH CONGRESS
OF THE REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES

House Bill No. 409



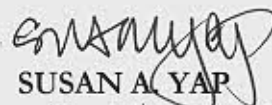
Introduced by Representative Susan A. Yap

EXPLANATORY NOTE

With the decline of demands for nurses in the United States and the United Kingdom, 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. The lack of employment opportunities for nurses in the country makes them vulnerable to becoming victims of the unscrupulous practices of some hospitals which demand payment in exchange for the necessary work experience required working abroad. This is plain and simple exploitation of nurses who have already toiled hard and spent money so that they can become professionals. There is, therefore, a need to prohibit public and private hospitals from requiring payment of money from registered nurses who want to gain work experience.

The measure seeks to prevent the exploitation of registered nurses who are serving as nurse volunteers in any public or private hospital. It mandates the Department of Health (DOH) and the Professional Regulation Commission (PRC) Board of Nursing to assess all the training programs for registered nurses that are being implemented in hospitals. Only those programs accredited by the DOH and the PRC Board of Nursing shall be implemented and allowed to charge corresponding fees.

The bill further provides that any nurse volunteer who was required to pay the hospital shall be entitled to a refund of the full amount paid to the hospital plus interests of six percent per annum until said amount is fully paid. In addition, a salary equivalent to Salary Grade 11 shall be paid by the hospital for services rendered.


SUSAN A. YAP

Representative, 2nd District of Tarlac

HOUSE OF REPRESENTATIVES

House Bill No. **409**

Introduced by Representative Susan A. Yap

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

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

1 SECTION 1. *Definition of Terms.* - For purposes of this Act, the following terms shall be
2 defined as follows:

3 (a) *Nurse training programs* refer to training programs that are approved and accredited by
4 the Department of Health (DOH) in partnership with the Professional Regulation Commission (PRC)
5 Board of Nursing which follow a definite career progression for registered nurses and are aimed at
6 providing advanced or specialty training.

7 (b) *Nurse trainee* refers to a registered nurse undergoing training programs that are approved
8 and accredited by the DOH in partnership with the PRC Board of Nursing. Those that are undergoing
9 such training are allowed to be charged corresponding fees to be determined jointly by the DOH and
10 the PRC Board of Nursing.

11 (c) *Nurse volunteers* refer to registered nurses rendering "free" or unpaid services in
12 hospitals, without employer-employee relationship, and performing hospital duties with minimal
13 supervision from regular staff nurses. Nurse volunteers may or may not receive trainings,
14 depending on the institution where they render service.

15
16 SECTION 2. *Assessment and Accreditation.* - The DOH and the PRC Board of Nursing
17 shall assess all the training programs for registered nurses that are being implemented in hospitals.
18 However, if necessary, an Assessment and Accreditation Unit shall be created in the DOH. Only
19 those programs accredited by the DOH and the PRC Board of Nursing shall be implemented and
20 allowed to charge corresponding fees.

21
22 SECTION 3. *Hospital's Capability.* - The DOH shall assess the capability of all hospitals to
23 provide training programs for registered nurses. The minimum criteria for the assessment shall
24 be based on the bed capacity, appropriate facilities and availability of qualified trainers.

25
26 SECTION 4. *Prohibited Act.* - Any public or private hospital is hereby prohibited from
27 requiring the payment of money upon registered nurses who are serving as nurse volunteers in
28 order to gain work experience in the hospitals and for employment purposes.

29
30 SECTION 5. *Penalty.* - Any person who is found guilty of violating this Act shall suffer the
31 penalty of imprisonment of not less than six (6) months but not more than one (1) year and a fine of
32 not less than One hundred thousand pesos (P100,000.00) but not more than Five hundred
33 thousand pesos (P500,000.00).

34 If the offender is an association, corporation or any other juridical person, the penalty shall
35 be imposed upon the owner, president, hospital director, treasurer and any other person responsible for
36 the violation.

37 If the offender is a foreigner, he shall be summarily deported after payment of fine and

1 service of sentence, and be barred permanently from entering the country.
2

3 SECTION 6. *Refund and Entitlement to Salary.* - Any registered nurse who shall be required by
4 the hospital to pay, in violation of Section 4 hereof, shall be refunded the full amount paid to the
5 hospital plus interest of six percent (6%) *per annum* until the amount is fully paid. In addition, a salary
6 equivalent to Salary Grade 11, pursuant to Executive Order No. 811, series of 1989, shall be paid by the
7 hospital to the registered nurse for services rendered.
8

9 SECTION 7. *Implementing Rules and Regulations.* - The DOH, in coordination with the
10 PRC and the Private Hospitals Association of the Philippines, shall issue the implementing rules
11 and regulations within sixty (60) days after the effectivity of this Act.
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13 SECTION 8. *Repealing Clause.* - All laws, decrees, orders, rules and regulations and other
14 issuances or parts thereof inconsistent with this Act are hereby repealed, amended or modified accordingly.
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16 SECTION 9. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in any
17 newspaper of general circulation.

Approved,