

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2995



Introduced by: Hon. Angelina "Helen" D.L. Tan, M.D.

EXPLANATORY NOTE

Women and Children Protection Units (WCPUs) were established under the Department of Health (DOH) in 1997 by virtue of Administrative Order 1-B in all DOH hospitals in response to the increasing number of women and children who consult due to violence, rape, incest, and other related cases of abuse.

Presently, WCPUs are operating in accordance with Republic Act No. 9262, otherwise known as the Anti-Violence Against Women and Their Children Act of 2004 and its Implementing Rules and Regulations, and the DOH Administrative Order No. 2013-0011.

WCPUs are composed of a multi-disciplinary team of trained physicians, social health workers, mental health professionals and police providing comprehensive medical and psychosocial services to women and children victims of violence.

The DOH reports that based on the experience of existing 38 WCPUs over the last 7 years from 2004 to 2010, all these WCPUs handled an average of 6,224 new cases with a mean increase of 156 percent.

Accordingly, the 2010 statistics show a record high of 12,787 new cases and an average of 79.86 percent increase from 2009. More than 59 percent were cases of sexual abuse; more than 37 percent were physical abuse and the rest on neglect, combined sexual and physical abuse and minor perpetrators. More than 50 percent of these new cases were obtained from WCPUs based in highly urbanized areas across the country.

The National Demographic and Health Survey of 2008 also reveals that one in five women aged 15-49 are physically abused and one out of 10 of the same age group are sexually abused. The DOH opines that this figure runs into millions of abused women nationwide who do not seek any help or assistance.

Although the present effort of the DOH in protecting the well being of abused women and children is highly commendable, this bill recognizes that a consistent and adequate budget is necessary to establish additional WCPUs and sustain their effective operation.

In view of the foregoing and consistent with the goal of eliminating all forms of gender-based violence and promoting social justice in the country, this measure seeks to require all national, regional and provincial hospitals to establish, operate and maintain at least one (1) WCPU in their respective hospital and to institutionalize mechanisms to ensure the effective operation of all WCPUs in the country as women and children protection work has now become an essential health service that addresses the needs of women and children who are victims of violence.

Hence, approval of this bill is earnestly sought.


ANGELINA "HELEN" D.L. TAN, M.D.
4th District, Quezon

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AN ACT

MANDATING ALL NATIONAL, REGIONAL, AND PROVINCIAL HOSPITALS TO ESTABLISH, OPERATE AND MAINTAIN AT LEAST ONE (1) WOMEN AND CHILDREN PROTECTION UNIT (WCPU) IN THEIR RESPECTIVE HOSPITAL AND FOR OTHER PURPOSES

SECTION 1. *Short Title.* - This Act shall be known as the "Women and Children Protection Act of 2013".

SEC. 2. *Declaration of Policy* - It is the declared policy of the State to provide quality, holistic and gender-sensitive health care and to ensure that hospital facilities are available, accessible, and acceptable to women and children who are victims and survivors of violence

SEC. 3. *Definition of Terms.* - For purposes of this Act, the following terms shall mean:

- a) "National Government Hospital" - shall refer to a national hospital operated and maintained either partially or wholly by the national government or by any department, division, board or other agency thereof;
- b) "Regional Government Hospital" - shall refer to a national hospital operated and maintained either partially or wholly by the national government or by any department, division, board or other agency thereof;
- c) "Provincial Government Hospital" - shall refer to a hospital operated and maintained either partially or wholly by the provincial government or other political subdivision or by any department, division, board or other agency thereof.

SEC. 4. *Establishment, Operation and Maintenance of Women and Children Protection Units (WCPUs).* - Within one (1) year after the effectivity of this Act, all national, regional and provincial hospitals are hereby required to establish, operate and maintain at least one (1) Women and Children Protection Unit in their hospital.

SEC. 5. *Mechanisms to Ensure Effective Operation of Women and Children Protection Units.* - The Secretary of the Department of Health shall institute mechanisms to ensure the following:

- a. Health facilities have competent and trained gender-responsive professionals who will coordinate the services needed by women and children victims of violence;
- b. Standardization and maintenance of the quality of health care services rendered by all women and children protection units;
- 4. Sustainability of women and children protection programs; and
- 5. Creation and maintenance of a centralized and harmonized database for all reports submitted by the different women and children protection units.

SEC. 6. *Penalty.* - Any hospital chief, administrator or office-in-charge who fails to comply with this Act shall be punished with a fine of Fifty Thousand Pesos (P50,000.00) but not more than One Hundred Thousand Pesos (P100,000.00).

SEC. 7. *Funding for Establishment, Operation and Maintenance of Women and Children Protection Units.* -

- a. For the first three (3) years upon effectivity of this Act, the amount of Fifty Million Pesos (P50,000,000.00) per annum shall be used for the establishment, operation and maintenance of

WCPUs in the provinces where over forty percent (40%) of the population live below the poverty threshold. These annual amounts shall be sourced from net earnings from the Value Added Tax;

b. Such amount as may be necessary for each province to implement the provisions of this Act shall be taken from their Internal Revenue Allotment.

c. The budget for personnel, maintenance and operating expenses of the newly established WCPU, as proposed by each national and regional hospital in consultation with the DOH, shall be automatically appropriated from the National Treasury. Thereafter, the amount necessary for the continuous implementation of this Act shall be included in the government hospital's annual appropriations.

SEC. 8. *Implementing Rules and Regulations.* - Within ninety (90) days from the date of effectivity of this Act, the DOH shall, in coordination with the League of Provinces, promulgate rules and regulations for the implementation of this Act.

SEC. 9. *Separability Clause.* - If, for any reason, any part or provision of this Act is held by competent court to be unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 10. *Repealing Clause.* - All laws, decrees, executive orders, rules and regulations, or parts thereof, which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SEC. 11. *Effectivity.* - This Act shall take effect fifteen (15) days after its complete publication in two (2) newspapers of general circulation.

Approved,