

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

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3164



Introduced by **HON. RENE L. RELAMPAGOS**
First District, Bohol

EXPLANATORY NOTE

"It was once said that the moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy and the handicapped."¹

In Asian cultures, respect for elders is a time-honored tradition. It is customary for the family elder to be cared for by his/her children or other relatives. There is a sense of respect and reverence by Filipinos for their elderly. Adult children care for their parents out of respect and gratitude for raising them.

However, the rising incidence of abandonment, neglect and abuse of the elderly for various reasons such as migration of younger family members, cultural influence, and sheer convenience, among others, is starting to take its roots in Philippine society.

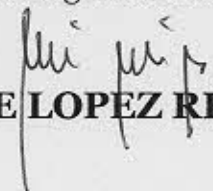
The State then is called upon to prepare for the care, support and comfort to the aging members of its population. No less than the 1987 Constitution specifically provides that, "there shall be priority for the needs of the underprivileged, sick, elderly, disabled, women and children."² Elderly care, or 'eldercare' is the fulfilment of the special needs and requirements that are unique to senior citizens. This encompasses such services as assisted living, adult day care, long-term care, nursing homes, hospice care, and in-home care.

The Department of Social Welfare and Development has long-started the tradition of giving care for the elderly through the establishment of centers or homes that serve as havens for the senior citizens such as those found in the Davao Region.

With the growing number of unattended, neglected, abandoned elderly in the country, the creation of a similar home or center, to be located in the strategic Municipality of Loon, Bohol, is seen as one of the State's most humble share to the care of the elderly who remain as pillars of our family, society, culture and history.

This bill seeks to create a home or center for the unattended, abandoned, neglected and homeless elderly in the First District of the Province of Bohol. These centers or homes, which will be under the direct control and supervision of the DSWD, will serve as family homes and showcase best practices that aim to help health practitioners and caregivers in better understanding the needs of the aging population.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


RENE LOPEZ RELAMPAGOS

¹ Hubert H. Humphrey

² Section 11, Article XIII (Social Justice and Human Rights)

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First District, Bohol

AN ACT
ESTABLISHING AN ELDERCARE CENTER FOR ABUSED, UNATTENDED,
ABANDONED, NEGLECTED AND HOMELESS SENIOR CITIZENS IN THE
FIRST DISTRICT OF THE PROVINCE OF BOHOL, APPROPRIATING
FUNDS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. Title. – This Act shall be known as the “Eldercare Center Act for Abused, Unattended, Abandoned, Neglected and Homeless Senior Citizens” in the First District of the Province of Bohol.

SEC. 2. Policy. – It is hereby declared as policy of the State to protect and promote the right to health of the people; to give priority for the needs of the underprivileged sick, elderly, disabled, men and women; to establish a special agency for disabled persons for their rehabilitation, self-development and self-reliance, and their integration into the mainstream of society; and may care for elderly members of society through just programs of social security.

SEC. 3. Coverage. – This Act shall cover all persons who are sixty (60) years old and above who are abused, unattended, abandoned, neglected and homeless, and are residents of the First District of the Province of Bohol.

SEC. 4. Definition of Terms. – For purposes of this Act:

(1) “Senior Citizens” – refer to any person who is sixty (60) years old and above who are abused, unattended, abandoned, neglected and homeless persons and are residents of the First District of the Province of Bohol.

(2) “DSWD” – refers to the Department of Social Welfare and Development and its field offices in Region VII and in the Province of Bohol.

(3) “DOH” – refers to the Department of Health and its field offices in Region VII and in the Province of Bohol.

(4) “Center” – refers to facilities run by DSWD for senior citizens as defined in Section 4 (1) of this Act which shall also serve, subject to budgetary and logistical support and as prototype for local government units (LGU) and non-government organizations (NGOs) who want to replicate at their level; may accept student nurses,

medical technologists, social workers, trained caregivers and other students of allied courses to practice and further their knowledge and skills along geriatric care and in the management of senior citizens with, but not limited to, dementia and Alzheimer's Disease, may provide institutionalized residential care programs and services to senior citizens such as, but not limited to, counseling, case conference, family dialogue, group session, outreach to families for reintegration, homelife care, medical care, dietary, literacy sessions, productivity development and occupational therapy and to motivate senior citizens who are residents of the center to participate in social, religious, cultural and vocational activities to enhance their social, physical and psychological functioning.

SEC. 5. Implementing Rules and Regulations. – The Secretary of DSWD shall promulgate rules and regulations to carry out the provisions of this Act and shall see to it that such are responsive to the needs and welfare of the senior citizens as defined in this Act not later than sixty (60) days after the date of enactment of this Act, in coordination with the Department of Health (DOH) and the Department of Interior and Local Government (DILG). The DSWD, in coordination with the DOH and DILG, shall also promulgate rules and regulations within thirty (30) days after the date of enactment of this Act with respect to the screening and admission requirements of the senior citizens to the center as defined in Section 4 (1) of this Act.

SEC. 6. Site and Management/Operation of the Center. – The site of the center referred to in this Act shall be constructed, established, staffed and/or operated and managed exclusively by the DSWD in the Municipality of Loon, Province of Bohol in coordination with and support of DOH. Said center shall preferably be located near the community hospital in this municipality.

SEC. 7. Donations, Supports and Grants. – Subject to existing laws, government rules and regulations, the center, through the Secretary of DSWD, may accept, donations, supports and grants from private domestic and foreign groups, non-government, peoples and civic organizations and foreign governments for sole purpose of the center's construction, establishment, staffing and continued operation.

SEC. 8. Appropriations. – The Secretary of DSWD shall immediately include in the Department's program the construction, establishment, staffing and operation of the center referred to in Section 4 (4) of this Act which shall be charged initially against the current year's appropriations of the Office of the Secretary of DSWD. Thereafter, the amount necessary for the construction, establishment, staffing and continued operation of the said center shall be included in the annual General Appropriations Act.

SEC. 8. Repealing Clause. – Provisions of laws, presidential decrees or issuances, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

SEC. 9. Separability Clause. – If for any reason any section or provision of this Act is held invalid or unconstitutional, the other sections or provisions hereof shall not be affected thereby.

SEC. 10. Effectivity Clause. – This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,