

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
Second Regular Session

HOUSE BILL No. **5542**



Introduced by Reps. NERI J. COLMENARES and CARLOS ISAGANI T. ZARATE

AN ACT
UPGRADING THE MINIMUM MONTHLY SALARY OF DOCTORS TO P50,000 AND
PROVIDING FOR HAZARD PAY FOR DOCTORS

EXPLANATORY NOTE

This bill aims to upgrade the minimum salary of doctors and ensure their hazard allowance to encourage more medical professionals to work in the country and effectively provide health services especially in the face of serious health threats like Middle East Respiratory Syndrome Coronavirus (MERS CoV).

The Philippines is said to be the number one exporter of nurses and the number two exporter of doctors in the world. Yet, 7 out of 10 Filipinos die without seeing a health professional.

Data from IBON Foundation showed that in 2007, there were only seven (7) government doctors for every 200,000 Filipinos, way below the World Health Organization standard ratio of 1 doctor to 5,000 patients.

According to the International Labor Organization, health professionals leave the country because of "colonial mentality, economic needs, career development and better standard of living abroad." The Alliance of Health Workers (AHW) said that the most common reasons for doctor migration are low salaries and inhumane working conditions.

Resident doctors in national public hospitals receive P39,493 (Salary Grade 21) per month based on Joint Resolution No 4 or Salary Standardization Law III (SSL3) and 5% hazard pay equivalent to P1,974.65. Before 2009, prior to the implementation of Salary Standardization Law III, resident doctors who were then under Salary Grade 18 get 25% hazard pay or P4,356, based on the Implementing Rules and Regulations of Magna Carta of Public Health Workers (RA 7305). This reduction in the hazard pay resulted to decreased morale among many public physicians.

The Department of Health in 2008 said that the average salary of private sector physicians at P18,134 represents only a third of the median monthly salaries in foreign countries.¹

¹ <http://www.doh.gov.ph/sites/default/files/Vol.%202%20Issue%204%20August%202008.pdf>

Because of this, health groups suggest an increase in the pay of government doctors. A minimum of P50,000 per month is recommended, though still far from the salaries abroad. The nearest approximation in the Salary Standardization Law 3 is Salary Grade 24 equivalent to P49,750/month.

Increasing the salaries of doctors and the provision of benefits especially hazard pay are important steps that may help mitigate the outmigration of doctors and ensure quality healthcare for our people.

In this light, the passage of this bill is earnestly sought.

Approved,



Rep. NERI J. COLMENARES
Bayan Muna Party-list



Rep. CARLOS ISAGANI T. ZARATE
Bayan Muna Party-list

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

SECTION 1. *Short Title.* This Act shall be known as “The Doctors’ Salary Upgrading and Benefits Act of 2015.”

SECTION 2. *Declaration of Policy.* It is the Government’s concern and responsibility to provide adequate remuneration and benefits for doctors to attract and retain its rightful share of talents with the end in view of fulfilling the state policy of providing essential health services to all Filipinos.

SECTION 3. *Raising of the Minimum Salary.* The minimum monthly salary grade of doctors shall be upgraded to P50,000. Salaries of those occupying higher positions shall be adjusted accordingly.

SECTION 4. *Hazard Pay for Doctors.* Doctors in government hospitals and local health facilities shall be provided hazard pay equivalent to that received by other hospital workers under Salary Grade 19 of the Salary Standardization Law. Doctors in private hospitals and health facilities shall receive hazard pay equivalent to that of government doctors, or based on the rate agreed upon by the management and the health workers’ union in the Collective Bargaining Agreement, whichever is higher.

SECTION 5. *Coverage.* This Act shall cover all doctors in public and private health facilities and institutions, whether nationally or locally-funded.

SECTION 6. *Sanctions.* A fine of not less than five hundred thousand pesos (P500,000,000) and/or imprisonment of not less than one (1) year nor more than two (2) years shall be imposed upon violation of any of the provisions hereof.

Provided that, for violations committed by government agencies, juridical persons, including local government units or any other entity, the head of the agency and Board of Directors or executive officials of the agency shall assume full responsibility.

SECTION 7. *Refund and Compensation.* Any doctor found to have been a a victim of violation of any section of this Act shall be entitled to backwages and full payment of unpaid benefits. In addition, he/she shall be entitled to refund of interest and attorney's fees to be paid by the agency if he/she is forced to litigate.

SECTION 8. *Rules and Regulations.* The Department of Health and the Department of Budget and Management shall promulgate the necessary rules and regulations of the provisions of this Act.

SECTION 9. *Appropriation.* The Government shall appropriate such amount as may be necessary to carry out the objectives of this Act. Initial funds required for the implementation of this Act in public health facilities shall be sourced from the General Appropriations Act Miscellaneous Personnel Benefit Fund and other possible sources that may be determined by the Office of the President. The subsequent funds needed for national public health institutions shall be included in the General Appropriations Act in the allotment for the particular facility or institution. For devolved health agencies, funding shall be included in the annual budget allotment for the provincial and district hospitals and local health units.

For private health facilities, funding shall be included in the corporate budget.

SECTION 10. *Constitutionality.* Should any provision of this Act be declared invalid or unconstitutional, the validity or constitutionality of the other provisions shall not be affected thereby.

SECTION 11. *Repealing Clause.* All laws, decrees, letters of instructions, resolutions, orders, ordinances or parts thereof which are inconsistent with the provisions of this Act, are hereby repealed, amended, or modified accordingly.

SECTION 12. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,