

REPUBLIC OF THE PHILIPPINES
House of Representatives
Quezon City

16th Congress
3rd Regular Session

HOUSE BILL NO. 6295



Introduced by Congressman Alfredo D. Vargas III

EXPLANATORY NOTE

The protection and promotion of the welfare of senior citizens and the Government's duty to care for them are enshrined in the Philippine Constitution. It reads:

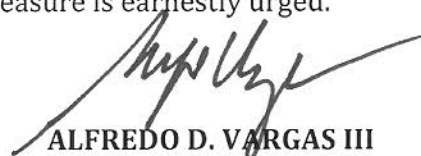
*"The State shall adopt an **integrated and comprehensive approach to health development** which shall endeavor to make essential goods, health and other social services available to all the people at affordable costs. There shall be priority for the needs of the **underprivileged**, sick, **elderly**, disabled, women and children."* (Article XIII, Section 11)

"The family has the duty to care for its elderly members but the State may also do so through just programs of social security." (Article XV, Section 4)

Upon this Representation's consultation with the senior citizen sector, the issue of rising incidents of elder abuse and abandonment in the country was brought up. The problem is often attributed to migration of young family workers and the costs for elderly care which may be unbearable for low income households.

While the population of the senior citizens continues to grow, sadly, the number of unattended, neglected and abandoned elderly is also increasing. Thus, this bill¹ seeks to construct a home for the abused and homeless senior citizens in the Fifth District of Quezon City to contribute to the care of the elderly, who remain to be major contributors in building a strong Filipino nation.

In view of the foregoing, the passage of this measure is earnestly urged.


ALFREDO D. VARGAS III

¹ The constituent panel on Senior Citizens proposed this policy when this representation conducted the consultative program, *Lehislatibong Ugnayan ng Kongreso at mga Simbahan* (LUKAS).

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AN ACT

ESTABLISHING A NURSING HOME FOR ABUSED, ABANDONED, AND HOMELESS SENIOR CITIZENS IN THE FIFTH DISTRICT OF QUEZON CITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. *Declaration of Policy.* –It is hereby declared the policy of the State to value the dignity of every human person, guarantee full respect for human rights, extend assistance to its elderly citizens through programs of social security, and promote the right to health and safety of senior citizens. Towards this end, the State shall extend assistance to abandoned and homeless senior citizens through a social care and security program.

SEC. 2. *Definition of Terms* - For purposes of this Act, these terms are defined as follows:

- (a) *Senior citizen* refers to any citizen of the Philippines who is at least sixty (60) years of age.
- (b) *Elder abuse* refers to any knowing, intentional, or negligent act by a caregiver or any other person that causes harm or a serious risk of harm to a vulnerable adult. It can take various forms such as physical, psychological or emotional, sexual, and financial abuse.
- (c) *Abandoned senior citizen* refers to a senior citizen who has been deserted, permanently or temporarily, by his relatives or persons who have general or legal responsibility over the senior, or from whom all basic care have been withdrawn, whether willfully or not.
- (d) *Homeless senior citizen* refers to an elderly who lacks a fixed, regular residence, or whose current residence is unfit for human habitation.
- (e) *Nursing home* refers to a home for the aged which provides living accommodations, food, clothing, medical and health care, recreational

and social interaction activities for abused, abandoned or homeless senior citizens.

SEC. 3. There shall be established, under the supervision of the Department of Social Welfare and Development, a nursing home for abused, abandoned and homeless senior citizens in Novaliches, Quezon City.

SEC. 4. *Implementing Rules and Regulations.* – The Secretary of the Department of Social Welfare and Development, in coordination with the Department of the Interior and Local Government, Department of Health, and the Federation of Senior Citizens Associations of the Philippines, shall hereby promulgate the rules and regulations to carry out the provisions of this Act not later than sixty (60) days after its effectivity.

SEC. 5. *Donations and Grants.* – The nursing home, through the Secretary of Social Welfare and Development, subject to existing laws, government rules and regulations, may accept donations and grants from private domestic and foreign groups, non-government and civic organizations, and foreign governments for the purpose of the nursing home's construction, establishment, staffing and continued operation.

SEC. 6. *Exemptions of the Nursing Home.* – The established Nursing Home shall be exempted from the payment of custom duties, taxes and tariffs on the importation of equipment and supplies used directly and exclusively by the Nursing Home pursuant to this Act, including those donated to the Nursing Home.

SEC. 7. *Appropriations.* – The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment and every year thereafter.

SEC. 8. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall remain in full force and effect.

SEC. 9. *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. 10. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,