

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **7087**



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

Diseases are inevitable part of the lives of the people. For this, Article II Section 15 of the Philippine Constitution declares that, "The State shall protect and promote the right to health of the people and instill health consciousness among them".

However, not everyone is expected to maintain a healthy physical condition. In most cases, those who cannot afford to finance themselves are the ones usually hit by worst kinds of illnesses such as organ failure. In most cases, organ transplantation is the only treatment for end state organ failure. Hence, organ donation has become a necessity in this changing world.

According to the World Health Organization, human material for transplantation is mostly obtained from a deceased donor. Yet, despite the frequent use of materials donated from deceased donors, the donation of organs from living donors is necessary for some types of transplants to compensate for the limited supply of material available from deceased donors in order to meet patient needs. Living donation is thus practiced despite the fact that it involves risks for the donor that may not be negligible.

This bill seeks to acknowledge the donor employees who willingly offer organ, bone marrow, blood, or blood platelets through entitling them to an organ donation leave with pay.

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


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

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AN ACT
TO PROVIDE TIME OFF WITH PAY FOR EMPLOYEES WHO DONATE ORGAN,
BONE MARROW, BLOOD, OR BLOOD PLATELETS

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

SECTION 1. Short Title. This Act may be cited as the "*Organ Donor Leave Act of 2018*".

SEC. 2. Definition of Terms. - As used in this Act:

- a) "Agency" means any branch, department, board, committee, or commission of the government, but does not include units of local government, school districts, or boards of election commissioners.
- b) "Department" means the Department of Health.
- c) "Participating employee" means a permanent full-time or part-time employee who has been employed by an agency for a period of six (6) months or more and who donates an organ, bone marrow, blood, or blood platelets.

SEC. 3. Administration of the Act. -

- (a) On request, a participating employee subject to this Act may be entitled to organ donation leave with pay.
- (b) An employee may use:
 - (i) up to thirty (30) days of organ donation leave in any twelve-month period to serve as a bone marrow donor;
 - (ii) up to thirty (30) days of organ donation leave in any twelve-month period to serve as an organ donor;
 - (iii) up to one hour to donate blood every fifty-six (56) days, and
 - (iv) up to two (2) hours to donate blood platelets in accordance with appropriate medical standards established by the Philippine National Red Cross Philippine Blood Coordinating Council, blood collection units and blood banks/centers in the Philippines or other nationally-recognized standards. Leave under item; may not be granted more than twenty-four (24) times in a twelve-month period.

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2 (c) An employee may use organ donation leave or other leave authorized in subsection
3 (b) of this Section only after obtaining approval from the employee's agency.

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5 (d) An employee may not be required to use accumulated sick or vacation leave time
6 before being eligible for organ donor leave.

7
8 (e) The Department must adopt rules governing organ donation leave, including rules
9 that:

10
11 (i) establish conditions and procedures for requesting and approving
12 leave; and

13
14 (ii) require medical documentation of the proposed organ or bone marrow
15 donation before leave is approved by the employing agency.

16
17 **SEC. 4. Separability Clause.** - If any provision of this Act is declared unconstitutional or
18 invalid, such sections or parts not affected thereby shall remain in full force and effect.

19
20 **SEC. 5. Repealing Clause.** - All laws, decrees, orders, regulations and other issuances or
21 part thereof inconsistent with this Act are hereby repealed or modified accordingly.

22
23 **SEC. 6. Effectivity.** This Act shall take effect fifteen (15) days after its publication in two
24 (2) newspapers of general circulation.

Approved,