

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7861



Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

EXPLANATORY NOTE

Diabetes is a silent and fatal disease that has unprecedentedly grown in prevalence, and cost our people and this government so much in healthcare expenses. It is also generally preventable, and treatable. This bill targets the prevention of certain types of diabetes, and its early detection to reduce the number of affected individuals, and to provide treatment as soon as possible. It also seeks to provide support to diabetics and their loved ones in coping with this disease.

The prevalence of *diabetes mellitus* in the Philippines for the last 10 years according to the National Nutrition and Health Survey (NNHS) has grown from 3.9% to 17.8% or nearly 20% which means that one out of every five Filipinos could potentially have diabetes mellitus or pre-diabetes.

In the Western Pacific, the Philippines ranks fifth—behind China, Indonesia, Japan and Thailand—in the number of diabetics. This makes the Philippines an official diabetes hotspot. Based on the IDF Atlas, there were already 3.9 million diabetic Filipinos when the population was 65 million. With the current population now over 100 million, local experts estimate that more than 5 million diagnosed diabetics. If nothing is done to stem the alarming trend, the prevalence of diabetes is expected to soar to 20 percent by the year 2045, and more than 100,000 Filipinos would be dying every year due to its complications.

While the disease is emotionally taxing to patients and their families, it is also a massive financial burden to the government. Last year, PhilHealth spent around P8 billion to assist patients undergoing dialysis, the majority of whom were diabetics¹.

It is high time that we address this national health epidemic. The bill hereby proposes the creation of the Philippine Center for Diabetes and Endocrinology (PCDE), under the Department of Health (DOH), which shall serve as the lead

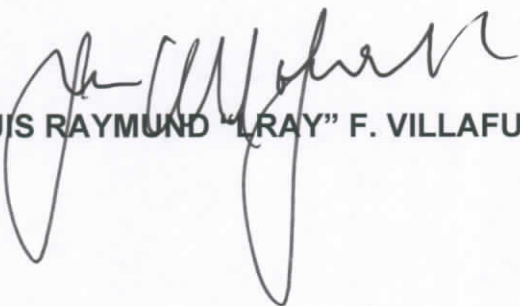
¹ <http://lifestyle.inquirer.net/283947/philippines-diabetes-hotspot/>

tertiary-level center in the screening, prevention, diagnosis, and treatment of diabetes. PCDE shall ensure that there is an organized, comprehensive, and optimal system of care and treatment for patients with diabetes and other endocrine problems among hospitals and other medical institutions in the country.

Additionally, PCDE is hereby authorized to design programs that shall promote, encourage and engage in medical and scientific research on the prevention and treatment of diabetes and other endocrine diseases and gather, compile, and publish the findings of such researches for public dissemination.

This Representation envisions a citizenry that is free from the expensive, painful, and preventable burden brought about by certain types of diabetes, in pursuit of the State's constitutional mandate to ensure the health and well-being of its people.

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



LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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AN ACT
ESTABLISHING THE PHILIPPINE CENTER FOR DIABETES AND
ENDROCRINOLOGY AND FOR OTHER PURPOSES

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

SECTION 1. Declaration of Policy. – It is the policy of the State to protect and promote the right to the health of the people and instill the health consciousness among them by providing specialized health services and research, education and training facility responsive to the country's health needs and problems.

Hence, it is a primary concern of the government to assist and provide material and financial assistance in the establishment of a specialty hospital for Filipinos suffering from diabetes and promote diabetes care, prevention and cure all over the country.

SECTION 2. Creation of the Philippine Center for Diabetes. – There is hereby created a body corporate to be known as the Philippine Center for Diabetes and Endocrinology (PCDE), under the Department of Health (DOH), which shall serve as the lead tertiary-level center in the screening, prevention, diagnosis, and treatment of diabetes.

The PCDE shall have its principal office in Metro Manila, and may have such branch offices, hospitals, clinics or subsidiaries in Visayas and Mindanao and other areas in the Philippines as it may deem proper and necessary.

SECTION 3. Purposes and Objectives. – The PCDE shall have the following purpose and objectives:

- a) To construct, establish, equip, maintain, administer and operate such integrated medical institutions which shall provide an organized system of care, comprehensive and optimal treatment for patients with diabetes and other endocrine problems;

- b) To conduct nationwide screening and diagnosis of diabetes, obesity, and the components of the metabolic syndrome;
- c) To promote, encourage and engage in medical and scientific research on the prevention and treatment of diabetes and other endocrine diseases and gather, compile, and publish the findings of such researches for public dissemination;
- d) To encourage, undertake and assist conferences, conventions, seminars, workshops, and training programs for physicians, nurses, health officers, medical technologists, social workers and medical and technical personnel on the practical and scientific implementation of health care services to diabetic patients;
- e) To assist universities, hospitals, and research institutions in their studies on diabetes and other endocrine diseases and other related fields, to encourage and grant scholarships for advanced training and specialization in medical care and management in diabetes and related fields and to support and finance educational programs of value to public health;
- f) To encourage the formation of other organizations at the national, provincial, city and/or local levels, and to coordinate the various efforts and activities of such organizations for the purpose of achieving a more effective approach to the common problem relative to the purposes and objectives enumerated herein; and
- g) To encourage telemedicine by establishing networks through internet facilities to link physicians at the local level to barrio doctors or specialists who can provide inputs or care of diabetic patients, especially in underserved areas.

SECTION 4. Powers and Functions. – For the attainment and or furtherance of the above-enumerated purposes and objectives, the PCDE is a body corporate acting through its Board of Trustees, shall have the following powers and functions in addition to those provided for in the other sections of this Act:

- a) To acquire, own, hold, use, lease, grant, mortgage, pledge, sell, assign, convey, transfer, exchange, dispose or otherwise deal with, real and/or personal properties of every kind and nature, including shares of stock, bonds, debentures, notes, securities, and other evidence of indebtedness or obligations of other corporations, whether domestic or foreign, and whether government or private;
- b) To solicit and receive donations, endowments, and funds in the form of contributions, whether in cash or in kind, from both the public and private sectors;
- c) To award, enter into, make, execute, perform, and carryout domestic or foreign contracts of whatever kind nature;

- d) To open accounts in banks and other financial institutions, and to disburse such funds or invest the same as the Board may direct to accomplish or advance the purpose or interest of the PCDE, and to obtain loans, borrow funds and/or arrange financing or credit assistance or whatever kind and nature from all sources whether domestic or foreign and whether government or private;
- e) To levy, assess, and collect such fees, charges and assessments as may be necessary or proper to support, finance, and maintain its operations;
- f) To invite diabetes specialists and similar experts in the various medical fields to train the personnel or trainees or residents of the PCDE and to also support the training, seminars, conferences and conventions of its medical personnel in research and medical institutes or universities, be it local or international as the Board may deem necessary in line with the principles of the Philippines Qualifications Framework (PQF), to accomplish the purposes of the objectives of the PCDE,
- g) To adopt and use a corporate seal;
- h) To sue and be sued in its corporate name;
- i) To adopt its by-laws, rules and regulations not inconsistent with law of the provisions hereof to govern the administration and operation of the affairs of the PCDE; and
- j) To exercise such other powers and functions as may be necessary, related or incidental or to carry out the purposes and objectives of this Act.

SECTION 5. *The Board of Trustees; Composition; Term and Compensation.* –

The PCDE shall be governed, and its activities and properties shall be directed, controlled and managed, by a Board of Trustees, hereinafter referred to as the Board, which shall be composed of a Chairperson and six (6) members, all of whom shall be appointed by the President of the Philippines.

At least one (1) member shall come from the Philippine Endocrinology, Diabetes and Metabolism (PSEM) and at least one (1) from the academe.

The Chairman of the PCDE shall be appointed from among the members of the Board.

Except the President of the PCDE, the members of the Board shall serve for a term of three (3) years, with a right to hold-over until their respective successors shall have been duly appointed and qualified. The President of the Philippines may, however, remove any member of the Board for a cause. Whenever a vacancy shall occur in the Board, the person appointed to fill the vacancy shall hold office for the unexpired term of the member replaced.

Except the President of the PCDE, each member of the Board shall receive compensation in accordance with current standards set by the Department of Budget and Management (DBM) and as may be determined by the Department of Health (DOH).

SECTION 6. *Powers and Functions of the Board.* – The Board shall have the following powers and functions:

- a) To formulate policies, guidelines and programs to effectively implement and carry out the purposes and objectives of this Act;
- b) To prescribe, review, and revise the amount of the fees, charges, and assessments levied and collected for the support and maintenance of the operations of the PCDE;
- c) To control the management, operation and administration of PCDE;
- d) To promulgate such rules and regulations as may be necessary or proper for the effective exercise of power and functions as well as the discharge of the duties, responsibilities of PDE, its officers and employees;
- e) To authorize such expenditures of the PCDE as may be necessary of proper for the effective management, operation, and administration of the PCDE;
- f) To adopt the annual and supplemental budget of receipts and expenditures of the PCDE;
- g) To appoint, remove, suspend or otherwise discipline the Executive Vice-President and other officers of the PCDE occupying executive and senior management positions.

SECTION 7. *Officers of the PCDE* – The Board shall determine the officers of the PCDE who shall be appointed by the President of the PCDE subject to the confirmation by the Board. The PCDE may have an executive Vice-President and such Vice-Presidents and Assistant Vice-Presidents as may be required for the effective operation of the PCDE.

SECTION 8. *The President, His Term and Remuneration.* – The President of the PCDE shall be appointed by, and shall serve, at the pleasure of the President of the Philippines. The salary of the President shall be fixed by the Board, subject to the approval of the President of the Philippines.

SECTION 9. *Powers and Duties of the President.* – The President of the PCDE shall be the Chief Executive Officer of the PCDE. He shall exercise the following powers and duties:

- a) To execute the policies, guidelines, and programs approved by the board, and to be responsible for the efficient discharge of management and operational functions;
- b) To submit for the consideration and approval of the Board proposed measures, policies, guidelines and programs as he may deem necessary or proper for the efficient discharge of management and operational functions;
- c) To direct and supervise the management, operation, and administration of the PCDE, and, for this purpose, he/she may delegate any or some of his/her administrative responsibilities and duties to the other officers of the PCDE;
- d) To execute, on behalf of the PCDE, all contracts and agreements which the PCD may enter into, and to execute, accomplish and deliver any and all documents relative to such contracts and agreements;
- e) To represent the PCDE in all dealing with other offices, agencies, and instrumentalities of the Government, and all other persons or entities, whether domestic or foreign and whether government or private;
- f) To appoint, promote, transfer, remove, suspend or otherwise discipline the officers and employees of the PCDE, except those appointed by the Board;
- g) To exercise such other powers and perform such duties as may be vested or reposed upon him by the Board.

SECTION 10. *Assistance from the Government.* – The PCDE may call upon any department, bureau, office, agency, or instrumentality of the Government, including government-owned or controlled corporations, local government units, and state universities and colleges for such assistance as it may need in the pursuit of the purposes and objectives of this Act.

SECTION 11. *Authority from the Government.* – In case of emergencies which require immediate action by the Board, and there is no sufficient time to call a meeting thereof, the President of the PCDE, with the concurrence of any three (3) other members of the Board, may decide on any matter or take any action within the authority of the Board itself.

SECTION 12. *Donations of the PCDE.* – The PCDE is hereby authorized to solicit and receive donations, gifts, or endowments from all sources whether foreign or domestic, and whether government or private, without the need of securing a permit, approval or registration from any government agency.

SECTION 13. *Exemption from Fees, Duties, and Taxes.* – The PCDE is hereby exempt from all other internal revenue taxes, tariff and customs duties and all other kinds of taxes, fees, charges and assessment levied by the Government and its political subdivisions, agencies, and instrumentalities. Notwithstanding any provision of law to the contrary, all donations, grants, contributions, gifts or endowments which may be made by entities or persons to the PCDE shall be exempt from income and gift taxes, and the same shall be further deductible in full for purposes of computing the maximum amount of deductible under the National Revenue Code of 1997, as amended.

SECTION 14. *Government Contribution* – The amount of Ten Billion Pesos (PhP10,000,000,000.00) is hereby appropriated from the Philippine Amusement and Gaming Corporation (PAGCOR) to defray the initial operation and maintenance of the PCDE shall be included in the General Appropriations Act.

SECTION 15. *Annual Report.* – The PCDE, through its President, shall render to the President and both houses of Congress annual reports on its accomplishments and activities.

SECTION 16. *Applicability of Corporation Law.* – The provisions of the general corporation law, insofar as they are not inconsistent with the provisions of this Act and with the purposes and objectives for which the PCDE is formed, shall apply to the PCDE.

SECTION 17. *Implementing Rules and Regulations.* – The President, in close coordination with the DOH, DOST, NEDA, UP-PGH, and other stakeholders such as the Philippine Society of Endocrinology and Metabolism (PSEM) and shall within sixty (60) days from the date of the effectivity of the Act, promulgate and publish the rules and regulations for the effective and faithful implementation of this Act, Provided, that the failure of the promulgation of said rules and regulations shall not prevent the implementation of this Act upon its effectivity.

SECTION 18. *Separability Clause.* – If any portion or provision of this Act is subsequently declared invalid or unconstitutional, other provisions hereof which are not affected shall thereby remain in full force and effect.

SECTION 19. *Effectivity.* – The 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,