



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 7910



Introduced by
**REPRESENTATIVES JOEL MAYO Z. ALMARIO
AND PANTALEON D. ALVAREZ**

EXPLANATORY NOTE

This bill seeks to create the National Cancer Center of the Philippines (NCCP).

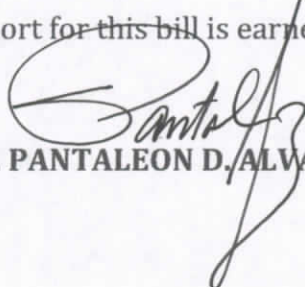
As a backgrounder, there are currently four specialty hospitals under the Department of Health (DOH) including the Lung Center of the Philippines (LCP), the Philippine Heart Center, the National Kidney and Transplant Institute, and the Philippine Children's Medical Hospital. Cancer patients go to these hospitals as there is currently no hospital primarily focused and specializing on the treatment of cancer *per se*.

It is proposed that the NCCP be constructed beside the LCP because aside from its central location in Metro Manila and its proximity to the four specialty hospitals, the land is vacant and has been utilized only as a parking lot since the former LCP wing was razed by fire in the 1990s. It must be noted however, that the NCCP will be an entity completely separate and different from the LCP. With the construction of the NCCP, the LCP is envisioned to focus on respiratory and pulmonary diseases, while the NCCP is targeted towards all types of cancer.

The proposed NCCP will become a specialty hospital offering the most advanced standard of care to all cancer patients, provide early diagnosis and treatment of cancer, promote strategies for cancer prevention, conduct research on the molecular level of common cancers in Filipinos, disseminate comprehensive cancer-related information, and recommend new initiatives and policy on cancer control. It will also serve as a state-of-the-art training ground for cancer specialists who will be assigned to the various regions nationwide. Lastly, the NCCP will serve as the nucleus of a nationwide cancer hospital network.

Now more than ever, there is a need to establish the NCCP because of the growing and alarming epidemic of cancer. It must be prioritized as cancer has now become the third leading cause of morbidity and mortality in the country. According to a study conducted by the University of the Philippines' Institute of Human Genetics, 189 of every 100,000 Filipinos are afflicted with cancer while four die of cancer every hour or 96 fatalities each day. However, as it is now, Filipino patients who can afford go to other countries like Singapore, Hongkong and Thailand for diagnosis and treatment if needed, while those who do not have the means simply suffer and die. This is a preventable reality as we have a big pool of very talented oncology doctors, specialists and nurses who can treat Filipinos, but not enough facilities for such.

Support for this bill is earnestly sought.


REP. PANTALEON D. ALVAREZ


REP. JOEL MAYO Z. ALMARIO



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HOUSE BILL NO. 7910

Introduced by
**REPRESENTATIVES JOEL MAYO Z. ALMARIO
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**AN ACT CREATING THE NATIONAL CANCER CENTER OF THE PHILIPPINES,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

1 **SECTION 1. Short Title** – This Act shall be known as the “*The National Cancer*
2 *Center of the Philippines (NCCP) Act.*”

3
4 **SECTION 2. Declaration of Policy** – The State shall establish, maintain and ensure
5 adequate health services to guarantee the well-being of every Filipino.

6
7 **SECTION 3. Creation** – There is hereby created a body corporate and politic to be
8 known as the National Cancer Center of the Philippines Incorporated, hereinafter
9 referred to as the NCCP, which shall implement the intent and spirit of this Act. The NCCP
10 shall be under the supervision of the Department of Health (DOH) and administered by a
11 Board of Trustees, composed of seven (7) members, to be appointed by the President of
12 the Philippines upon the recommendation of the DOH.

13
14 **SECTION 4. Purpose and Objective**– The NCCP shall have the following purposes
15 and objectives:

16
17 (a) To construct, establish, equip, maintain, administer and operate such
18 integrated medical institution or institutions that shall specialize in the prevention,
19 diagnosis, treatment, care, rehabilitation and/or relief of cancer in all its kinds and forms;

20
21 (b) To promote medical and scientific research relative to the prevention and
22 treatment of cancer;

1 (c) To conduct fact-finding investigations on cancer and related fields throughout
2 the country or elsewhere, and to report, publish and disseminate information on cancer;

3
4 (d) To finance, sponsor, hold or participate in congresses, conventions, conferences,
5 seminars, workshops and training programs on cancer and/or related fields in the
6 Philippines or abroad;

7
8 (e) To encourage and assist in the education and training of physicians, nurses,
9 health officers, social workers and medical and technical personnel in the practical and
10 scientific implementation of services to cancer patients;

11
12 (f) To assist universities, hospitals and research institutions in their studies on
13 cancer and other related fields, to encourage and grant scholarships for advanced training
14 and specialization in oncology and related fields, and to support educational programs of
15 value to general public health; and

16
17 (g) To stimulate the formation of other organizations on the national, provincial,
18 city and/or local levels, and to coordinate the various efforts and activities of such
19 organization for the purpose of achieving a more effective approach to the common
20 problem relative to the purposes and objectives enumerated herein.

21
22 **SECTION 5. Powers of the NCCP** - The NCCP as a body corporate acting through its
23 Board of Trustees, shall have the following powers and functions in addition to those
24 provided for in the other sections of this Act:

25
26 (a) To adopt and use a corporate seal;

27
28 (b) To sue and be sued in its corporate name;

29
30 (c) To adopt its by-laws, rules and regulations as it may deem proper and necessary
31 for implementation of the purposes and objectives of this Act;

32
33 (d) To succeed by its corporate name, and to acquire and possess properties, rights
34 and interests of whatever kind and nature, and mortgage, pledge, alienate, encumber or
35 otherwise dispose of the same;

1 (e) To award, enter into, make, execute, perform and carry out domestic or foreign
2 contracts of whatever kind and nature;

3
4 (f) To invest in, and purchase or otherwise acquire, own, hold, use, lease, grant,
5 mortgage, pledge, sell, assign, convey, transfer, exchange or otherwise deal with, real
6 and/or personal properties of every kind and nature, including shares of stock, bonds,
7 debentures, notes, securities and other evidences of indebtedness or obligations of other
8 corporations, whether domestic or foreign, and whether government or private;

9
10 (g) To obtain loans, borrow funds and/or arrange financing or credit assistance of
11 whatever kind and nature from all sources, whether domestic or foreign and whether
12 government or private, and to mortgage, pledge or otherwise encumber any of its
13 properties and assets for the purpose of securing or guaranteeing the performance or
14 fulfillment of any obligation it may undertake for itself or for other entities in which it may
15 be interested;

16
17 (h) To levy, assess and collect such fees, charges and assessments as may be
18 necessary or proper to support, finance and maintain its operations; and

19
20 (i) To exercise such other powers and functions as may be incidental or necessary
21 to carry out the purposes and objectives of this Act.

22
23 **SECTION 6. Board of Trustees; Composition, Term and Compensation.** - The
24 NCCP shall be governed, and its activities and properties shall be directed, controlled and
25 managed, by a Board of Trustees, hereinafter referred to as the Board, which shall be
26 composed of a Chairman and ten (10) members, all of whom shall be appointed by the
27 President of the Philippines.

28 The President of the NCCP, who shall be appointed from among the members of the
29 Board in accordance with Section 8 hereof, shall be the ex-officio Vice-Chairman of the
30 Board.

31 Except the President of the NCCP, the members of the Board shall serve for a term
32 of three (3) years, with a right to hold-over until their respective successors shall have been
33 duly appointed and qualified. The President of the Philippines may, however, remove any
34 member of the Board for cause.

35
36 Whenever a vacancy shall occur in the Board, the person appointed to fill the
37 vacancy shall hold office for the unexpired term of the member replaced.

1 Except the President of the NCCP, each member of the Board shall receive a per diem
2 of at least TWO THOUSAND FIVE HUNDRED PESOS (P2500.00) per meeting actually
3 attended. *Provided*, that no member shall receive a per diem of more than TEN THOUSAND
4 PESOS per month.

5
6 **SECTION 7. *Power and Functions of the Board*** – The Board shall have the
7 following powers and functions:

8
9 (a) To formulate policies, guidelines and programs to effectively implement and
10 carry out the purposes and objectives of this Decree;

11
12 (b) To prescribe, review and revise the amount of the fees, charges, and assessments
13 levied and collected for the support and maintenance of the operations of the NCCP;

14
15 (c) To control the management, operation and administration of the NCCP;

16
17 (d) To promulgate such rules and regulations as may be necessary or proper for the
18 effective exercise of power and functions as well as the discharge of the duties,
19 responsibilities of the NCCP, its officers and employees;

20
21 (e) To authorize such expenditures of the NCCP as may be necessary or proper for
22 the effective management, operation and administration of the NCCP;

23
24 (f) Upon the recommendation of the President of the NCCP, to determine and
25 organize the NCCP's organizational and administrative structure or pattern, and to
26 establish and fix, review, revise and adjust the appropriate compensation scheme of the
27 officers and employees of the NCCP, with reasonable allowances, bonuses and other
28 incentives as may be recommended by the President of the NCCP;

29
30 (g) To adopt the annual and supplemental budget of receipts and expenditures of
31 the NCCP;

32
33 (h) To appoint, remove, suspend or otherwise discipline the officers of the NCCP
34 occupying executive and senior management positions;

35
36 (i) To exercise all the general powers necessary or incidental to the attainment of
37 the purposes and objectives of this Act; and

1 (j) To do any and all acts as may be necessary or proper for the attainment of the
2 powers and functions of the NCCP.
3

4 **SECTION 7. *Officers of the NCCP.*** - The Board shall determine the officers of the
5 NCCP who, except as provided in this Act, shall be appointed by the President of the NCCP
6 subject to confirmation by the Board. The NCCP may have an Executive Vice-President and
7 such Vice-Presidents and Assistant Vice-Presidents as may be required for the effective
8 operation of the NCCP.
9

10 **SECTION 8. *The President, His Term and Remuneration.*** - The President of the
11 NCCP shall be appointed by, and shall serve at the pleasure of, the President of the
12 Philippines. The salary of the President of the NCCP shall be fixed by the Board, subject to
13 the approval of the President of the Philippines.
14

15 **SECTION 9. *Powers and Duties of the President.*** The President of the NCCP shall
16 be the Chief Executive Officer of the NCCP. He shall exercise the following powers and
17 duties:
18

19 (a) To execute the policies, guidelines and programs approved by the Board, and to
20 be responsible for the efficient discharge of management and operational functions;
21

22 (b) To submit for the consideration and approval of the Board proposed measures,
23 policies, guidelines and programs as he may deem necessary or proper for the effective
24 implementation of the purposes and objectives of this Act;
25

26 (c) To direct and supervise the management, operation and administration of the
27 NCCP, and, for this purpose, he may delegate any or some of his administrative
28 responsibilities and duties to the other officers of the NCCP;
29

30 (d) To execute, on behalf of the NCCP, all contracts and agreements which the NCCP
31 may enter into, and to execute, accomplish and deliver any and all documents relative to
32 such contracts and agreements;
33

34 (e) To represent the NCCP in all dealing with other offices, agencies and
35 instrumentalities of the Government, and all other persons or entities, whether domestic
36 or foreign and whether government or private;
37

1 (f) To appoint, promote, transfer, remove, suspend or otherwise discipline the
2 officers and employees of the NCCP, except those appointed by the Board;

3
4 (g) To vote all stocks owned or controlled by the NCCP, subject to the approval of
5 the Board; and

6
7 (h) To exercise such other powers and perform such duties as may be vested or
8 reposed upon him by the Board.

9
10 **SECTION 10. *Authority of the President in Emergencies.*** - In case of emergencies
11 which require immediate action by the Board, and there is no sufficient time to call a
12 meeting thereof, the President of the NCCP, with the concurrence of any three (3) other
13 members of the Board, may decide on any matter or take any action within the authority
14 of the Board itself.

15
16 **SECTION 11. *Assistance from the Government.*** - The NCCP may call upon any
17 Department, Bureau, Office, Agency or instrumentality of the Government, including
18 government-owned or controlled corporations, for such assistance as it may need in the
19 pursuit of the purposes and objectives of this Act.

20 The initial amount needed to defray the construction and initial operational
21 expenses of the NCCP shall be released from the budget allocated to the DOH. Thereafter,
22 the necessary amount to support the continued operation and maintenance of the NCCP
23 shall be included in the General Appropriations Act.

24
25 **SECTION 12. *Donations to the NCCP.*** - The NCCP is hereby authorized to solicit and
26 receive donations, grants, contributions, gifts or endowments from all sources whether
27 foreign or domestic, and whether government or private. Notwithstanding any provision
28 of law to the contrary, all donations, grants contributions, gifts or endowments received by
29 the NCCP pursuant hereto, shall be exempt from income, gift and all other kinds of taxes,
30 and shall further be deductible in full for purposes of computing the maximum amount
31 deductible for tax purposes under the National Internal Revenue Code, as amended.

32
33 **SECTION 13. *Exemption from Fees, Duties and Taxes.*** - The NCCP is hereby
34 declared exempt from all income and all other internal revenue taxes, tariff and customs
35 duties and all other kinds of taxes, fees, charges and assessments levied by the Government
36 and its political subdivisions, agencies and instrumentalities.

1 The President of the Philippines, upon the recommendation of the Secretary of
2 Finance, may partially or entirely lift the exemptions herein granted, if he shall find that
3 the NCCP is already self-sustaining and financially capable of paying such taxes, customs
4 duties, fees, charges and other assessments, after providing for the debt service
5 requirements and the projected capital and operating expenditures of the NCCP.
6

7 **SECTION 14. *Appointment, Promotion; Terms and Conditions of Employment.* -**

8 The NCCP and its officers and employees shall not be covered by the Civil Service Law, rules
9 and regulations, and by the Office of the Compensation and Position Classification. The
10 officers and employees of the NCCP shall be appointed or promoted pursuant to such
11 management policies and/or appropriate merit and fitness system as may be adopted by
12 the Board.
13

14 **SECTION 15. *Corporate Auditor.* -** The NCCP shall not be under the audit
15 jurisdiction of the Commission on Audit. The NCCP shall have its own Auditor who shall
16 not be subject to the supervision and control of the Commission on Audit, and who shall be
17 appointed by the Board.
18

19 **SECTION 16. *Legal Counsel.* -** The Office of the Solicitor General (OSG) shall be the
20 Legal Counsel of the NCCP. For the services of the staff of the OSG, the NCCP shall
21 appropriate and pay such amount as may be assessed by the OSG to defray the
22 transportation and representation expenses of the lawyers in the OSG who may be
23 assigned to handle the legal matters of the NCCP.
24

25 **SECTION 17. *Annual report.* -** The NCCP shall render to the President of the
26 Philippines an annual report on its operations and accomplishments.
27

28 **SECTION 18. *Applicability of the Corporation Law.* -** The provisions of the general
29 corporation law, insofar as they are not inconsistent with the provisions of this Decree of
30 with the purposes and objectives for which the NCCP is formed, shall apply to the NCCP.
31

32 **SECTION 19. *Effect of Dissolution.* -** If for any reason, the NCCP is dissolved, its
33 properties and assets shall revert to the National Government for disposition in accordance
34 with law.
35

36 **SECTION 20. *Separability Clause.* -** The provisions of this Act are hereby declared
37 to be separable, and if any provision or section of this Act or application thereof to any

1 person or circumstance should for any reason be held invalid or unconstitutional, such
2 invalidity or unconstitutionality shall not affect the other provisions or sections of this Act.

3
4 **SECTION 21. *Effectivity.*** - This Act shall take effect fifteen (15) days after its
5 complete publication in the Official Gazette or in at least two (2) newspapers of general
6 circulation, whichever comes earlier.

7 *Approved.*