

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8415



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

EXPLANATORY NOTE

Blood safety encompasses actions aimed at ensuring that everyone has access to blood and blood products that are safe as possible, available at reasonable cost, adequate to meet the needs of patients, transfused only when necessary, and provided as part of a sustainable blood programme within the existing healthcare system.

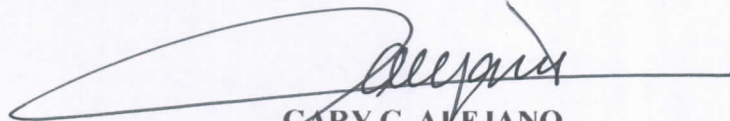
The provision of an adequate supply of safe blood and blood products, and their safe and rational use is the responsibility of government and should be an integral part of the country's national health care policy and health care infrastructure. The government should establish a sustainable national blood system which is recognized through a national blood policy, strategic plan and appropriate legal instruments. Essential functions of a national blood system include policy formulation and standard setting, strategic and operational planning, provision of sufficient resources and national coordination and management to ensure an adequate supply of blood and blood products and safe clinical transfusion.

It is for the aforementioned reasons that this bill is proposed. Under this Act, the Philippine Blood Disease and Transfusion Center, which is envisioned to offer comprehensive care for patients with blood disorders, and to provide transfusion service to our people shall be established.

The Blood Center is expected to manage safe blood and blood products to augment the medical services provided by hospitals and partner agencies. Moreover, it shall spearhead the training and education of medical and paramedical professionals with regards to blood diseases and transfusion medicine.

In addition to that, the Blood Center shall also become the primary provider of the state-of-the-art diagnosis, management, and treatment of blood disorders. It shall also be provided the necessary tools and funding to conduct research on hematologic disorders and to serve as a referral laboratory center for all hematologic diseases.

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


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

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AN ACT
ESTABLISHING THE PHILIPPINE BLOOD DISEASE AND TRANSFUSION
CENTER, DEFINING ITS OBJECTIVES, POWERS AND FUNCTIONS, AND
APPROPRIATING FUNDS THEREFOR

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

1 **SEC.1. Short Title.-** This Act shall be known as the “Philippine Blood Disease and
2 Transfusion Center Act.”

3
4 **SEC.2. Definition of Terms.** – As used in this Act:

- 5
6 a. Apheresis Facility – refers to a blood service facility where blood collection
7 procedure is done in which whole blood is removed, a selected component
8 separated and the remainder returned to the donor.
- 9
10 b. Blood – refers to human blood for transfusion.
- 11
12 c. Blood Center – refers to the Philippine Blood Disease and Transfusion Center
13 established pursuant to this Act.
- 14
15 d. Blood Component – refers, but not limited, to whole blood, red cells,
16 granulocytes, plasma, platelets, cryoprecipitate and cryosupernate prepared in the
17 Blood Center.
- 18
19 e. Blood Disease – refers to a blood condition that involves problems with the red
20 blood cells, white blood cells, platelets, blood vessels, bone marrow, lymph nodes,
21 spleen, or the proteins involved in bleeding and clotting (hemostasis and
22 thrombosis). Blood diseases and blood disorders are used interchangeably in this
23 Act.
- 24
25 f. Blood Product – refers to a therapeutic substance derived from whole blood or
26 plasma.
- 27
28 g. Hematology – refers to the branch of medicine that is concerned with the study of
29 blood, the blood-forming organs and blood diseases.
- 30

- 1 h. Voluntary Blood Donor – refers to a donor who gives blood freely and voluntarily
2 without any form of payment.
3

4 **SEC.3. *Mandate.***- There is hereby established a Philippine Blood Disease and Blood
5 Transfusion Center, hereinafter referred to as the Blood Center, a government corporate
6 entity that will offer comprehensive care for patients with blood diseases, including blood
7 transfusion services, for public welfare. The Blood Center shall also undertake teaching
8 programs and research activities to successfully accomplish its mandate.

9 The Blood Center shall be located at the Lung Center of the Philippines (LCP)
10 Compound, Quezon Avenue, Quezon City.
11

12 **SEC.4. *Purposes and Objectives.***- The Blood Center shall have the following
13 purposes and objectives:
14

- 15 a. To construct, establish, operate and maintain a specialty hospital, with at least two
16 hundred fifty (250) bed capacity, which shall offer comprehensive care for
17 patients with blood diseases;
18
- 19 b. To establish and operate a blood transfusion center and a state-of-the-art
20 hematology laboratory (which should be able to offer more services than a regular
21 medicine center), including a molecular laboratory for public welfare;
22
- 23 c. To establish and operate a Hematopoietic Stem Cell transplant program and donor
24 registry;
25
- 26 d. To collect blood from qualified voluntary blood donors, and process whole blood
27 into blood components;
28
- 29 e. To ensure the safety, as well as the adequate supply, of blood and blood products
30 delivered to hospitals and other health facilities;
31
- 32 f. To promote, encourage and engage in medical and scientific research on the
33 prevention and treatment of blood diseases, on the care and/or treatment of
34 patients with blood diseases, and on the care and/or treatment of patients with
35 blood diseases, and on the proper operation of blood bank technology and blood
36 transfusion services to ensure the safety of both blood donors and donees;
37
- 38 g. To gather, compile and publish the findings of its medical and scientific
39 researches;
40
- 41 h. To conduct studies and develop teachings programs, in collaboration with
42 universities hospitals and/or research institutions on the prevention and treatment
43 of blood diseases; encourage and grant scholarships for advanced training and
44 specialization in hematology; and support educational programs of value to
45 general public health;
46
- 47 i. To finance, sponsor, hold or participate in congresses, conventions, conferences,
48 seminars, workshops and training programs on the prevention and treatment of
49 blood diseases; and
50

- 1 j. To encourage and assist in the education and training of physicians, nurses, health
2 officers, social workers and medical and technical personnel in the practical and
3 scientific implementation of services to patients with blood diseases.
4

5 **SEC.5. Powers and Functions.** – The Blood Center shall have the following powers
6 and functions:
7

- 8 a. To have the attribute of perpetual succession and shall be vested with the powers
9 and of a corporation;
10
11 b. To adopt and use a corporate seal which shall be a matter of judicial notice;
12
13 c. To enter into contracts with any person or entity, whether public or private,
14 domestic or foreign;
15
16 d. To acquire assets, real or personal, or any interest therein, and encumber or
17 otherwise dispose the same, under any mode of encumbrance or conveyance, as it
18 may deem proper and necessary in the conduct of its business;
19
20 e. To invest its excess funds, subject to applicable laws, rules and regulations, in any
21 activity related to the Blood Center, as well as in any bonds or securities issued
22 and guaranteed by the Government of the Philippines;
23
24 f. To collect reasonable fees from the public for its services;
25
26 g. To solicit and accept any gifts, contributions, endowments, grants, bequests and
27 devices of any kind of real or personal property which are necessary and proper
28 for the attainment of the purpose of the hospital; and
29
30 h. To perform such acts and exercise such functions as may be necessary and proper
31 for the attainment of the purposes and objectives herein specified.
32

33 **SEC.6. Board of Trustees.** – The affairs and business of the Blood Center shall be
34 directed; its properties managed; and its corporate powers exercised, unless otherwise
35 provided in this Charter, by its own Board of Trustees, which shall be composed of
36 seven (7) members, follows:
37

- 38 a. The Secretary of the Department of Health as Chairman of the Board, or
39 his duly authorized representative;
40 b. The Department of Health Undersecretary in charge of supervising
41 specialty hospitals;
42 c. One (1) member from the private sector, preferably with experience in
43 finance, administration or management;
44 d. One (1) representative who is an expert in hematology;
45 e. One (1) representative who is an expert in blood transfusion;
46 f. One (1) representative from NGO involved in health advocacy; and
47 g. The Blood Center Executive Director.
48

1 The terms of office, manner of appointment of the trustees and other matters
2 pertaining to the governance of the Blood Center shall be determined in accordance with the
3 pertinent provisions of RA 10149.

4
5 **SEC.7. Powers and Functions of the Board.-** The Board of Trustees, which shall be
6 the policy-making body of the Blood Center, shall have the following powers and functions:

- 7
8 a. Set the policies and direction to the Blood Center in order to accomplish its
9 mandate;
10
11 b. Adopt a set of by-laws, rules, regulations, guidelines and procedures consistent
12 with law and the provisions hereof to govern the administration and operation of
13 the Blood Center;
14
15 c. Establish the organizational structure of the Blood Center, define the duties and
16 responsibilities of its officials and employees, and adopt a compensation and
17 benefit scheme, subject to the pertinent provisions of RA 10149 or known as the
18 GOCC Governance Act of 2011;
19
20 d. Establish and maintain professional and technical educational systems for the
21 sustained development of the necessary manpower to manage and operate its
22 affairs and business;
23
24 e. Authorize the expenditures of the Blood Center as may be necessary or proper for
25 its efficient and effective management, operation and administration;
26
27 f. Send the personnel of the Blood Center to research institutes, medical institutes or
28 universities for advance training or observation and to attend international or
29 regional conventions, conferences, congresses or seminars as the Board of
30 Trustees may deem necessary to accomplish the purposes and objectives of the
31 Blood Center;
32
33 g. Enter into such agreements and arrangements with other medical or similar
34 institutions, domestic or foreign, as it may deem desirable toward promoting the
35 purposes and objectives of the Blood Center;
36
37 h. Appoint, remove, suspend or otherwise discipline the Executive Director and
38 other officers of the Blood Center occupying executive and senior management
39 positions; and
40
41 i. Undertake such other acts and things as are or may be necessary for or incidental
42 to the accomplishment of the purposes and objectives of the Blood Center.

43 **SEC.8. Executive Director of the Blood Center.-** The Blood Center shall be headed
44 by the Executive Director, whose rank and emoluments shall be approved by the Board,
45 taking into account the prevailing practice in other specialty hospitals, and subject to the
46 pertinent guidelines issued by the Governance Commission for GOCCs. The Executive
47 Director shall have the following duties and responsibilities:

- 48
49 a. Direct and supervise the operations and administration of the Blood Center;

- b. Execute, administer and implement the policies and measures approved by the Board;
- c. Prepare the agenda for the meetings of the board, and to submit for consideration of the board such policies and measures as he/she believe(s) necessary to carry out the purposes and objectives of this Act;
- d. Represent the Blood Center in all dealings, i.e. meetings, contracts, negotiations, etc., with all other offices, agencies and instrumentalities of the government and with all persons and other entities, domestic or foreign;
- e. Appoint, remove, suspend or otherwise discipline all other officers and employees of the Blood Center; and
- f. To exercise such other powers and perform such other duties provided in the by-laws and as vested to him by the Board.

SEC.9. Program for Indigents.- The Blood Center shall adopt and enforce a program for indigents needing blood or blood products, as well as to indigent patients with blood diseases, in accordance with the implementing guidelines on classification of patients and on Availment of Medical Social Services in Government Hospitals. The Department of Health shall ensure that this program for indigents is effectively implemented.

SEC.10. Income Retention.- The Blood Center is hereby authorized to retain and utilize its income derived from its operation for the continuous improvement of its services and facilities, subject to auditing rules and regulations. No amount from such income, however, shall be used to augment the salaries and other compensation of the Blood Center personnel beyond the amounts determined by the Governance Commission for Government-Owned and Controlled Corporations (GCG), as provided for in RA 10149.

SEC.11.Exemption form Taxes.- The Blood Center shall be exempt from the payment of taxes on all contribution thereto and all accruals on its income and investment earnings.

Any donation, contribution, bequest, subsidy or financial aid which may be made to it shall constitute allowable deduction form the income of the donor for income tax purposes and shall be exempt from the donor's tax subject to such conditions as provided in the National Internal Revenue Code.

The Blood Center shall be exempt from all other taxes, whether direct or indirect, on its income, properties and operations.

SEC.12. Supervision.- The Blood Center shall be under the direct supervision of the Department of Health for purposes of policy direction and control. It shall submit an annual report to the Department of Health, pursuant to the pertinent provisions of RA 10149.

SEC.13. Assistance from the Government Offices.- The Blood Center may call upon any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in the pursuit of its purposes and objectives.

SEC.14. Implementing Rules and Regulations. – The Department of Health shall issue the necessary Rules and Regulations to implement the provisions of this Act within sixty (60) days from its effectivity.

1 **SEC.15. Appropriations.** - The amount of Eight Hundred Fifty Million Pesos (Php
2 850,000,000.00) is hereby appropriated for the initial operation and maintenance of the Blood
3 Cente. Thereafter, such sum as may be necessary for the continued operation of the Blood
4 Center shall be included in the annual General Appropriations Act.

5
6 **SEC.16. Separability Clause.**- Should any part or provisions of this Act be declared
7 unconstitutional or invalid, the remaining parts or provisions not affected thereby shall
8 remain in full force and effect.

9
10 **SEC.17. Repealing Clause.**- Other relevant provisions of the R.A. No. 7160, insofar
11 as the appointment of agriculturist is concerned, and any law, decree, executive order, and
12 rules and regulations, or portions thereof not consistent with this Act are hereby amended
13 accordingly.

14
15 **SEC.18. Effectivity.**- This Act shall take effect after fifteen (15) days following the
16 completion of its publication either in the Official Gazette or in newspaper of general
17 circulation in the Philippines.

Approved,