

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 8774



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

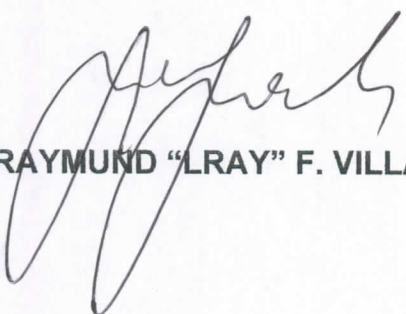
EXPLANATORY NOTE

The National Blood Services Act of 1994, or Republic Act No. 7719, sought the strengthening of voluntary blood services nationwide in the advent of rise of blood borne infections, HIV threats, and dengue fever. This bill proposes to add to this by making sure that the adequate supply of blood assured by Republic Act No. 7719 is coupled with appropriate research and laboratory centers for hematologic disorders. It aims to help decrease the cases of hematologic diseases in the country.

This bill seeks to establish the Philippine Blood Disease and Transfusion Center to cater to Filipinos with hematologic disorders. It shall offer comprehensive care for patients and provide transfusion services with the latest and best management and treatment of blood diseases.

The Center will be under the direct supervision of the Department of Health but managed by its own Board of Trustees for policy-direction and control. The Center is also mandated to adopt and enforce a program for indigents needing blood or blood products, as well as to attend to those with blood diseases.

The approval of this bill is earnestly sought.


LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 8774

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

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 House of Representatives of the Philippines
in Congress assembled:*

SECTION 1. *Short Title.* – This Act shall be known as the Philippine Blood Disease and Transfusion Center Act.”

SECTION 2. *Definition of Terms.* – As used in this Act, the following terms shall be defined as follows:

- a. Apheresis Facility – shall refer to a blood service facility where blood collection procedure is done in which blood is removed, a selected component separated, and the remainder returned to the donor;
- b. Blood – shall refer to the human blood for transfusion;
- c. Blood Center – shall refer to the Philippine Blood Disease and Transfusion Center established pursuant to this Act;
- d. Blood Component – shall refer, but not limited to, whole blood, red cells, granulocytes, plasma, platelets, cryoprecipitate and cryosupernatant prepared in the Blood Center;
- e. Blood Disease – shall refer to a blood condition that involves problems with the red blood cells, white blood cells, platelets, blood vessels, bone marrow,

lymph nodes, spleen, or other proteins involved in bleeding and clotting (hemostasis and thrombosis). Blood diseases and blood disorders are used interchangeably in this Act;

- f. Blood Product – shall refer to a therapeutic substance derived from whole blood or plasma;
- g. Blood Transfusion – shall refer to the process of transferring blood or blood-based products from one person into the circulatory system of another;
- h. Hematology – shall refer to the branch of medicine that is concerned with the study of blood, the blood-forming organs and blood diseases;
- i. Voluntary Blood Donor – shall refer to a donor who gives blood freely and voluntarily without any form of payment.

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

SECTION 4. *Purposes and Objectives.* – The Blood Center shall have the following purposes and objectives:

- a. To construct, establish, operate and maintain a specialty hospital, with at least two hundred fifty (250) bed capacity, which shall offer comprehensive care for patients with blood diseases;
- b. To establish and operate a blood transfusion center and a state-of-the-art hematology laboratory (which should be able to offer more services than a regular medical center), including a molecular laboratory for public welfare;
- c. To establish and operate a Hematopoietic Stem Cell transplant program and donor registry;
- d. To collect blood from qualified voluntary blood donors, and process whole blood into blood components;
- e. To ensure the safety, as well as the adequate supply, of blood and blood products delivered to hospitals and other health facilities;

- f. To promote, encourage and engage in medical and scientific research on the prevention and treatment of blood diseases, and on the proper operation of blood bank technology and blood transfusion services to ensure the safety of both blood donors and donees;
- g. To gather, compile and publish the findings of its medical and scientific researches;
- h. To conduct studies and develop teaching programs, in collaboration with universities, hospitals and/or research institutions, on the prevention and treatment of blood diseases; encourage and grant scholarships for advanced training and specialization in hematology, and support educational programs of value to general public health;
- i. To finance, sponsor, hold or participate in congresses, conventions, conferences, seminars, workshops and training programs on the prevention and treatment of blood diseases; and
- j. To encourage and assist in the education and training of physicians, nurses, health officers, social workers and medical and technical personnel in the practical and scientific implementation of services to patients with blood diseases.

SECTION 5. Powers and Functions. – The Blood Center shall have the following powers and functions:

- a. To have the attribute of perpetual succession and shall be vested with the powers of a corporation;
- b. To adopt and use a corporate seal which shall be a matter of judicial notice;
- c. To enter into contracts with any person or entity, whether public or private, domestic or foreign;
- d. To own, possess, and/or acquire assets, real or personal, or any interest therein, and encumber or otherwise dispose the same, under any mode of encumbrance or conveyance, as it may deem proper and necessary in the conduct of its business;
- e. To invest its excess funds, subject to applicable laws, rules and regulations, in any activity related to the Blood Center, as well as in any bonds or securities issued and guaranteed by the Government of the Philippines;

- f. To collect reasonable fees from the public for its services;
- g. To solicit and accept any gifts, contributions, endowments, grants, bequests and devices of any kind of real or personal property which are necessary and proper for the attainment of the purpose of the hospital; and
- h. To perform such acts and exercise such functions as may be necessary and proper for the attainment of the purposes and objectives herein specified.

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

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

The terms of office, manner of appointment of the trustees and other matters pertaining to the governance of the Blood Center shall be determined in accordance with the pertinent provisions of RA 10149, otherwise known as the "GOCC Governance Act of 2011".

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

- a. Set the policies and direction of the Blood Center in order to accomplish its mandate;

- b. Adopt a set of by-laws, rules, regulations, guidelines and procedures consistent with existing laws and the provisions hereof to govern the administration and operation of the Blood Center;
- c. Establish the organizational structure of the Blood Center, defines the duties and responsibilities of its officials and employees, and adopt a compensation and benefit scheme, subject to the pertinent provisions of RA 10149;
- d. Establish and maintain professional and technical education systems for the sustained development of the necessary manpower to manage and operate its affairs and business;
- e. Authorize the expenditures of the Blood Center as may be necessary or proper for its efficient and effective management, operation and administration;
- f. Send the personnel of the Blood Center to research institutes, medical institutes or universities for advance training or observation and to attend international or regional conventions, conferences, congresses or seminars as the Board of Trustees may deem necessary to accomplish the purposes and objectives of the Blood Center;
- g. Enter into such agreements and arrangements with other medical or similar institutions, domestic or foreign, as it deems desirable toward promoting the purposes and objectives of the Blood Center;
- h. Appoint, remove, suspend or otherwise discipline the Executive Director and other officers of the Blood Center occupying executive and senior management positions; and
- i. Undertake such other acts as may be necessary for or incidental to the accomplishment of the purposes and objectives of the Blood Center.

SECTION 8. *Executive Director of the Blood Center.* – The Blood Center shall be headed by an Executive Director, whose rank and emoluments shall be approved by the Board, taking into account the prevailing practice in other specialty hospitals, and subject to the pertinent guidelines issued by the Governance Commission for GOCCs (GCG). The Executive Director shall have the following duties and responsibilities:

- 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 measure 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 discipline all other officers and employees of the Blood Center, the authority of which is not vested with the Board; and
- f. To exercise such powers and perform such other duties provided in the by-laws and as vested to him by the Board.

SECTION 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 the Medical Social Services in Government Hospitals. The Department of Health shall ensure that this program for indigents is effectively implemented.

SECTION 10. *Income Retention.* – The Blood Center is hereby authorized to retain and utilize the 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.

SECTION 11. *Exemption from Taxes.* – The Blood Center shall be exempted 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 from the income of the donor 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.

SECTION 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.

SECTION 13. *Assistance from Other 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.

SECTION 14. *Appropriations.* – The amount of Eight Hundred Fifty Million Pesos (Php 850,000,000.00) is hereby appropriated for the initial operation and maintenance of the Blood Center. Thereafter, such sum as may be necessary for the continued operation of the Blood Center shall be included in the annual General Appropriations Act.

SECTION 15. *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.

SECTION 16. *Separability Clause.* – Should any provision herein be declared unconstitutional, the same shall not affect the validity of the other provisions of this Act.

SECTION 17. *Repealing Clause.* – All laws, decrees, orders, rules, and regulations or other issuances or parts inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 18. *Effectivity Clause.* – This Act shall take effect in fifteen (15) days after publication in the Official Gazette or in one (1) newspaper of general circulation in the Philippines.

Approved,