

Republic of the Philippines

HOUSE OF REPRESENTATIVES

Quezon City, Metro Manila

EIGHTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 0604



Introduced by HONORABLE RESURRECCION MARRERO-ACOP, MD

EXPLANATORY NOTE

According to the Journal of Geriatric Oncology, *"The aging of the population is a global challenge. The number of older adults is rapidly growing, leading to an increase in the prevalence of noncommunicable diseases associated with aging¹."* Furthermore, the majority of older adults live in developing countries like the Philippines, where health systems are generally ill-equipped to provide care for complex chronic conditions. Worldwide, as in our country, *"there is paucity of geriatric training, and most of the gerontology workforce lacks the skills and knowledge to provide comprehensive care for older patients. Various initiatives aimed at providing adequate clinical care for older adults, increasing the geriatric skills and knowledge of healthcare professionals, and developing geriatric oncology research, have been successfully implemented, but these have taken place mostly in high-income countries, and there are still large inequalities in the availability of clinical, educational, and research initiatives across different regions of the world"*² – chief among them in Asia and the Philippines.

This bill seeks to convert the National Center for Geriatric Health (NCGH) into a corporate body which will provide a full range of health care services, including primary care, wellness services, and behavioral health care; aside from promoting innovative research on ageing's social and biological causes and concomitants and how best to intervene in illnesses associated with the ageing process; as well as providing educational programs for the public, to health care professionals, and to the elderly population of the country.

Section 11, Article XIII of the 1987 Constitution provides, in part, that *"The State shall adopt an integral and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged sick, elderly, disabled, women, and children."*

¹ Soto-Perez-de-Celis, E., de Glas, N.A., Hsu, T., Kanesvaran, R., Steer, C., Navarrete-Reyes, A.P., Battisti, N.M.L., Chavarri-Guerra, Y., O'Donovan, A., Avila-Funes, J.A. and Hurria, A., 2017. *Global geriatric oncology: achievements and challenges*. Journal of geriatric oncology, 8(5), pp.374-386.

² Ibid.

The absence of this particular legislation hinders the current NCGH from fulfilling its mission to become a full-fledged geriatric hospital that caters to the elderly. As a full-fledged hospital and research center, it will be the health center for senior citizens, where there will be intensive care units (ICUs), multi-disciplinary geriatrics practice, rehabilitation services, etc. The hospital has yet to achieve the vision to be the country's first geriatric center, as it has limited capabilities and cannot admit patients with complex cases.

The rejuvenation of the NCGH is long overdue considering the continuing increase in our country's population of people aged sixty and above. As a tribute to our country's elderly citizens, having served and contributed to the society in the prime of their life, it is only fitting to establish a health and research facility which will primarily provide geriatric health services.

In view of forgoing considerations, approval of this bill is earnestly sought.

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RESURRECCION MARRERO-ACOP, MD

Representative

2nd District, Antipolo City

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AN ACT
CONVERTING THE NATIONAL CENTER FOR GERIATRIC HEALTH INTO A
CORPORATE BODY 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 “National Center for Geriatric Health Development Act of 2019”.

SECTION 2. Declaration of Policy. - It is hereby declared the policy of the State to protect and promote the right to health of older persons and the elderly by ensuring that health services are available and accessible to them through the establishment of a specialized hospital and research center.

SECTION 3. Definition of Terms. - As used in this Act:

- (a) *Geriatric health services* refer to the medical services or intervention provided by a multi-disciplinary team usually headed by a Geriatrician;
- (b) *Geriatrician* refers to a medical doctor who has passed the necessary training and examination, and specializes in the field of Geriatrics;
- (c) *Geriatrics* refers to the sub-specialty of Internal Medicine that aims to promote health, prevent and treat disabilities of older adults;
- (d) *Gerontology* refers to the study of the biological, psychological, spiritual, social, economic, demographic aspects of the aging process;
- (e) *Integrated delivery of geriatric health services* refer to hospital and

community-based medical and psycho-social services provided to senior citizens by a multi-disciplinary team;

(f) *Multi-disciplinary team* - refers to a team composed of health professionals headed by a geriatrician and includes surgeons, organ-system specialists, nurses, clinical pharmacists, rehabilitation therapists, nutritionists, dentists, social workers, caregivers, family members and patients themselves; and

(g) *Senior citizens or older persons* refer to Filipino citizens who are at least sixty (60) years old.

SECTION 4. *Conversion of the National Center for Geriatric Health (NCGH).* - The National Center for Geriatric Health (NCGH), herein referred to as the "Center," located in San Miguel, Manila is hereby converted into a corporate body, as defined under Republic Act 11232 or the "Revised Corporation Code of the Philippines," as well as the relevant provisions of Republic Act 10149 or the "GOCC Governance Act of 2011" pertaining to a Government-Owned or -Controlled Corporation (GOCC). The NCGH shall be an attached agency of the Department of Health for the primary benefit of senior citizens or the elderly. The bed capacity of the NCGH shall forthwith be increased from fifty to one hundred (100) upon the passage of this Act, and shall thereafter be increased without need of further legislation, subject only to approval from the Board of Trustees based on the Center's financial and administrative capacity.

SECTION 5. *Purposes and Objectives.* - The NCGH shall have the following purposes and objectives:

- a) Equip, operate, and manage an integrated medical institution which shall specialize in geriatric health services;
- b) Provide and maintain affordable, quality and timely hospital care through an efficient health service delivery system which prioritizes the need of the elderly and, resources permitting, provide free medical care to indigent citizens;
- c) Finance, sponsor, hold or participate in congresses, conventions, conferences, seminars, workshops and training programs on geriatric health services or related fields in the Philippines and abroad;
- d) Encourage and assist in the education and training of physicians, nurses, health officers, social workers, other medical and technical personnel, as well as

other target groups in the practical and scientific implementation of health services to older persons;

- e) Coordinate the various efforts and activities of other government agencies and local government units for the purpose of achieving a more effective approach to the delivery of geriatric health services;
- f) Promote innovative research on ageing's social and biological causes and concomitants and how best to intervene in illnesses associated with the ageing process;
- g) Extend medical services to elderly persons pursuant to the goals, objectives and rules of the National Health Insurance Program (NHIP); and
- h) Pursue other initiatives to enhance the quality of gerontological research and clinical application to positively develop products and services and influence public policy - with the ultimate goal of bringing good health and enhanced quality of life to our ageing population.

SECTION 6. *Scope of Services.* Consistent with its purposes and objectives, the NCGH shall provide the following services:

- a) Hospital-based services to ensure the availability of medical facilities and equipment necessary to provide long term and palliative services with its wards divided into the following: dementia, long term care, palliative care, respite care, and other units as may be deemed necessary;
- b) Community-based services to develop and implement community-based programs in partnership with local government units, conduct research and external resource outsourcing to implement community-based integrated geriatric health services, and conduct training necessary for the social functioning of senior citizens and their families, utilizing the multi-disciplinary team approaches;
- c) Education programs to pursue excellence and the highest level of practice in the specialized field of geriatrics and other related fields, conduct post-graduate training and short-term courses for medical doctors and allied medical professions; and
- d) Program development and research to develop cutting edge researches and programs to combat diseases of old age to promote active health care, provide necessary consultancy service, technical assistance and standard setting for geriatric wards in every tertiary level hospital, nursing homes and residential center

catering to the health and functioning needs of senior citizens, in coordination with the Philippine Council on Health Research and Development (PCHRD) and the Institute of Aging of the National Institute of Health (IA-NIH);

e) Assistance in the installation of a "senior citizens' ward" in every government hospital for the exclusive use of senior citizens who are in need of hospital confinement by reason of their health conditions, pursuant to Section 5 (c) of Republic Act 9994 otherwise known as the "Expanded Senior Citizens Act of 2010."

SECTION 7. Board of Trustees. - The NCGH shall be administered by a Board of Trustees, hereinafter referred to as the Board, to be composed of the following:

- a) Secretary of Health, as Chairperson;
- b) Secretary of Social Welfare and Development, as Vice Chairperson;
- c) Director of the Institute of Aging of the National Institute of Health, as Member;
- d) CEO/President of the Philippine Health Insurance Corporation, as Member;
- e) President of the Federation of Senior Citizens Association of the Philippines, as Member;
- f) President of the Society of Geriatrics and Gerontology, as Member;
- g) One (1) representative from the Philippine Medical Association with expertise in the field of geriatrics and gerontology, as Member;
- h) One representative from a non-government organization which provide services for senior citizens, duly registered with the Securities and Exchange Commission (SEC) or any appropriate regulatory body, and with programs accredited by the Department of Social Welfare and Development (DSWD), as Member; and
- i) The Chief Executive Officer, NCGH, as Member.

The members of the Board enumerated in subparagraphs (a), (b), (c) and (d) and shall serve as *ex-officio* members. The *ex-officio* members of the Corporation may designate their respective alternates who shall be officials next-in-rank to them and whose acts shall be considered the acts of their principals.

The members of the Board under subparagraph (e), (f), (h), (i) and (j) shall be appointed by the President of the Philippines, upon the recommendation of the

Secretary of Health for the first initial appointees, and then recommendation by the Board for subsequent appointees.

The appointive members of the Board shall serve for one (1) year, unless sooner removed for cause.

No person shall be appointed Member of the Board unless a citizen and a resident of the Philippines, of good moral character, and has attained proficiency, expertise and recognized competence in one or more of the following fields: hospital finance and administration, medical care, public health care, government rules and regulations, law, business management or marketing. The members of the Board should have at least five (5) years experience in their fields of expertise.

To maintain the quality of management, the DOH in coordination with the Governance Commission for GOCCs (GCG), subject to the approval of the President, shall prescribe, pass upon and review the qualifications and disqualifications of individuals appointed as members of the Board and shall disqualify those found unfit.

The Board shall be governed by a set of by-laws which shall include the members' responsibilities, accountabilities and causes for removal/termination of appointment.

The Members of the Board shall not exceed, at any time, nine (9) Members.

SECTION 8. Powers and Functions. - The Board of Trustees shall have the following powers and functions in addition to its general powers of administration:

- a) Formulate and adopt the by-laws, rules and regulations, policies, guidelines and procedures consistent with law and the provisions of this Act to govern the administration and operations of the Center;
- b) Formulate and develop programs for the enhancement of healthcare services for older persons, including the training of NCGH personnel and resident doctors;
- c) Enter into such agreements and arrangements with other medical institutions, domestic or foreign, as may be necessary in attaining the purposes

and objectives of the Center;

- d) Receive in trust legacies, gifts and donations or real and personal properties of all kinds and to administer the same for the benefit of the NCGH, in accordance with the directions and instructions of the donor, and in default thereof, in such manner as the Board of Trustees may, in its discretion, determine;
- e) Raise, receive and appropriate to the ends specified by law such sums as may be provided by law for the support of the Center; and
- f) Perform all such other acts as maybe necessary for or incidental to the accomplishment of the objectives of the NCGH.

SECTION 9. *Organizational Structure and Staffing Pattern.* - The Board shall determine the organizational structure and staffing pattern of the NCGH subject to the evaluation by the Civil Service Commission and of the Organization Position Classification and Compensation Bureau of the Department of Budget and Management and the Department of Health. The Board may reorganize said structure, modify the staffing pattern and create or abolish divisions, sections or units in the NCGH.

SECTION 10. *Corporate Officers.* - The Board of Trustees shall appoint a Secretary of the Board and such other officers as may be deemed necessary to carry out its objectives. Selection of the corporate officers must be based on the specific qualifications prescribed by existing laws.

SECTION 11. *Chief Executive Officer.* - The NCGH shall be headed by a Chief Executive Officer who shall be appointed by the President of the Republic of the Philippines for a term of one (1) year and renewable upon the recommendation of the Secretary of Health. In no case shall the same person be re-appointed and serve as Chief Executive Officer beyond the total accumulated period of six (6) years.

The Chief Executive Officer shall exercise the following powers and functions:

- (a) Execute the policies, guidelines and programs approved by the Board, and be responsible for the efficient discharge of management and operational functions;

- (b) Submit for the consideration and approval of the Board proposed measures, policies, guidelines and programs as may be deemed necessary or proper for the effective implementation of the purposes and objectives of this Act;
- (c) Direct and supervise the management, operation and administration of the NCGH and delegate this power and any or some of his administrative responsibilities and duties to the other officers of the NCGH;
- (d) Execute, on behalf of the Board, all contracts and agreements which the latter may enter into, and to execute, accomplish and deliver any and all documents relative to such contracts and agreements;
- (e) Represent the NCGH in all dealings with other persons or entities, whether domestic or foreign, and whether government or private;
- (f) Determine the staffing pattern and the number of personnel of the NCGH and define their duties and responsibilities;
- (g) Recommend to the Board the appointment, promotion, transfer, dismissal, and suspension of the officer and employees of the NCGH; and
- (h) Exercise such other powers and perform such other duties as may be vested or reposed by the Board.

SECTION 12. *Board of Trustees' Meetings and Quorum.* - The Board of Trustees shall hold meetings at least once a month. Special meetings may be convened at the call of the Chairperson or by request of the majority of the members of the Board of Trustees. Five (5) members of the Board shall constitute a quorum for the transaction of official business.

SECTION 13. *Property of the Center as a Corporation.* - The property of the Center shall consist of real, personal, and other type of property previously owned by the NCGH or reserved for or may hereafter be given, donated, acquired, transferred or conveyed to it by the National Government, its branches and instrumentalities, or any foreign government, as well as by trust, foundation, corporations or persons whether alien or domestic, in order to carry out its purposes and objectives as set forth herein.

SECTION 14. *Appointment by the Board.* - The Board shall have the authority to appoint, promote, transfer, remove, suspend or otherwise discipline the officers or

employees of the NCGH upon the recommendation of the Chief Executive officer, subject to Civil Service laws, rules and regulations.

SECTION 15. *Executive Committee.* - The Board of Trustees may, by a resolution approved by the majority of all its members, create an Executive Committee of not more than five (5) members who shall be appointed by the Board of Trustees. At least three (3) members of the Executive Committee shall be members of the Board of Trustees. The Executive Committee shall exercise all such powers as may be delegated to it by the Board of Trustees. The Executive Committee shall keep regular minutes of its proceedings and report the same to the Board of Trustees whenever required. The Board of Trustees shall have the power to change the members of the Executive Committee at any time, to fill vacancies therein and to discharge or dissolve such Committee either with or without cause.

SECTION 16. *Compensation of Members of the Board of Trustees.* - The members of the Board of Trustees, by resolution of the majority of its Members, may claim expenses for attendance in regular or special meetings of the Board of Trustees; Provided, however, that actual and necessary expenses of the members of the Board of Trustees while engaged in serving the interests of the Center and in pursuit of its defined objectives and purposes may be allowed by special resolution of the Board of Trustees.

The appointive nongovernment members of the Board of Trustees shall be entitled to honorarium for each meeting actually attended at rates in accordance with existing laws, rules and regulations.

SECTION 17. *Civil Service Law Coverage for Employees.* - The hiring, appointment, promotion, discipline and other terms and conditions of the service of all employees of the NCGH shall be consistent with the provisions of Civil Service laws, rules and regulations, except as otherwise provided for in this Act.

SECTION 18. *Security of Tenure of Civil Service Officers and Employees of the Center.* - The provisions of Republic Act 6656, or "An Act to Protect the Security of Tenure of Civil Service Officers and Employees in the Implementation of Government Reorganization," and other existing laws shall apply to all officers and

employees of the Center except to the Members of the Board of Trustees.

SECTION 19. *Salaries, Benefits and Other Compensation.* - The salaries, benefits and other compensation of the officers and employees of the NCGH shall be in accordance with the existing compensation and the standard position classification for employees of the government; Provided, That there shall be no diminution in the salaries of and benefits of the employees and officers.

SECTION 20. *Early Retirement and Separation Benefits.* - Officials and employees of the NCGH who voluntarily opt for separation or retirement shall be entitled to the benefits provided for under existing laws.

SECTION 21. *Assistance from Other Government Offices.* - The NCGH may call upon any department, bureau, office, agency or instrumentality of the government for any such assistance as it may need in the pursuit of its purposes and objectives.

All individuals, entities and institutions are hereby enjoined to render full assistance and cooperation to the NCGH in the accomplishment of its objectives and activities.

SECTION 22. *Program for Indigents.* - The Board of Trustees shall ensure that the NCGH shall adopt and enforce a program for indigents. The number of beds allocated for the indigent patients shall not be less than thirty percent (30%) of the total number of hospital beds.

SECTION 23. *Tax Exemptions.* - Any donation, bequest and grant shall be exempt from donor's tax and the same shall be considered as allowable deduction from the gross income of the donor in accordance with the provisions of Republic Act 10963 or the "Tax Reform for Acceleration and Inclusion (TRAIN) Act" and the National Internal Revenue Code of 1997, as amended.

The NCGH is hereby declared from exempt all income and all other internal revenue taxes, tariff and customs duties and all other kinds of taxes, fees, charges and

amendments levied by the government and its political subdivisions, agencies and instrumentalities.

SECTION 24. *Hospital Trust Fund.* - All funds not coming from the General Appropriations Act such as contributions from taxes and assessments from authorized sweepstakes lotteries, donations, legacies, endowment from various sources, domestic and foreign entities and individuals, income of pay wards and from other hospital services shall be used and disbursed only upon the authorization of the Board of Trustees for the purposes of enhancing the health services for the elderly and the improvement of hospital facilities, which include the purchase of medicines, supplies, hospital beds, equipment and career advancement. Provided, that disbursements shall be in accordance with existing accounting and auditing rules and regulations; Provided, further, that the fund shall be exclusive for hospital utilization and shall not be used to cover personnel services.

SECTION 25. *Transfer of Personnel, Assets, Records and Equipment.* - All personnel, assets, records, equipment and liabilities of the NCGH are hereby transferred to and shall henceforth appertain to the NCGH as a Corporation.

SECTION 26. *Annual Report.* - The NCGH shall submit an annual report to the President of the Philippines, the Senate Committee on Health and Demography and the House Committee on Health, through its Board of Trustees, on its activities, accomplishments and recommendations to better improve the delivery of geriatric health services.

SECTION 27. *Auditor.* - The Commission on Audit shall appoint a representative who shall be the auditor of the NCGH and such personnel as may be necessary.

SECTION 28. *Effect of Dissolution.* - In the event that the Center is dissolved for any reason, its remaining property at the time of such dissolution shall be placed under the DOH.

SECTION 29. *Appropriations.* - The amount necessary for the implementation of

this Act shall be charged from the appropriations for the Department of Health under the current General Appropriations Act. Thereafter, such sum as may be necessary for the continued operation of the NCGH shall be included in the annual General Appropriations Act.

SECTION 30. *Implementing Rules and Regulations.* - The Secretary of Health, in coordination with the Secretary of Social Welfare and Development, and the Secretary of Budget and Management, shall promulgate such rules and regulations necessary for the effective implementation of this Act.

SECTION 31. *Separability Clause.* - If any provision of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in full force and effect.

SECTION 32. *Repealing Clause.* - All laws, decrees, orders, proclamations, rules and regulations, or parts thereof, which are inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SECTION 33. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,