

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



EIGHTEENTH CONGRESS

HOUSE BILL NO. 3949

Introduced by: Congressman BIENVENIDO M. ABANTE, JR.

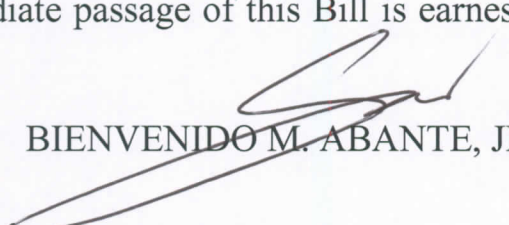
EXPLANATORY NOTE

It is a Policy of the State to protect and promote the **right to health** of the people and instill health consciousness among them (Sec. 15, Art. II, Constitution). Likewise, the Constitution provides that the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all people at affordable cost. There shall be **priority** for the needs of the underprivileged sick, **elderly**, disabled, women, and children. The State shall endeavor to provide free medical care to paupers (Sec. 11, Art. XIII, Constitution).

The National Center for Geriatric Health which is our country's first premier specialty hospital catering to the specific healthcare needs of our elderly, was established through the initiative of the undersigned. Unfortunately, for the past nine (9) years, the services of the Center were not extended to our elderlies as envisioned. To better respond to the medical needs of our elderlies, and to ensure that needed health services are available and accessible to them, there is an urgent need to establish a specialized hospital that will truly and efficiently cater to such medical needs. It is, therefore, the aim of this Bill to convert the National Center for Geriatric Health into a "National Center for Geriatric Health and Research Institute", with the objective of equipping, maintaining, administering, and operating it as an integrated medical institution that shall specialize in geriatric health services.

The government should not forsake the aged, as they have, one way or the other, contributed to the good of our country. For even the Psalmist in the Holy Writ prayed for God's help and for God not to forsake him when he is old and grayheaded (Psalm 71:18).

In the light of the foregoing, the immediate passage of this Bill is earnestly pleaded.


BIENVENIDO M. ABANTE, JR.

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HOUSE BILL NO. 3949

INTRODUCED BY:
Representative Bienvenido M. Abante, Jr.

AN ACT CONVERTING THE NATIONAL CENTER FOR GERIATRIC HEALTH INTO
A CORPORATE BODY TO BE KNOWN AS THE "NATIONAL CENTER FOR
GERIATRIC HEALTH AND RESEARCH INSTITUTE", 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 and Research Institute Act.

5 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 by ensuring that health services are available and accessible to them through the establishment of a specialized hospital that will cater to their medical needs.

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 patient 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"), located in San Miguel, Manila, is hereby converted into a corporate body to be known as the "National Center for Geriatric Health and Research Institute ("NCGHRI"). The NCGHRI shall be attached to the Department of Health for the primary benefit of senior citizens. The bed capacity of the hospital shall be increased from fifty to one hundred (100).

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

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- a. Equip, maintain, administer, and operate 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 to 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, and other medical and technical personnel in the practical and scientific implementation of health services to senior citizens;
 - 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; and,
 - f. Extend medical services to elderly persons pursuant to the goals, objectives, and rules of the National Health Insurance Program ("NHIP").

SECTION 6. Scope of Services - Consistent with its purpose and objectives, the NCGHRI 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;

- 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"); and,
- 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 NCGHRI shall be administered by a Board of Trustees, hereinafter referred to as the Board, to be composed of the following:

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- 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;
 - d. Chief Executive Officer ("CEO")/President of the Philippine Health Insurance Corporation;
 - e. President of the Federation of Senior Citizens Associations of the Philippines;
 - f. President of the Society of Geriatrics and Gerontology;
 - g. One representative from the Philippine Medical Association with expertise in the field of geriatrics and gerontology;
 - h. One representative from non-government organizations 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;
 - i. Two representatives from the private sector; and,
 - j. Chief Executive Officer of the Hospital

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

The member of the Board under subparagraphs (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 by the Board for subsequent appointees.

The appointive members of the Board shall serve two (2) years, 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 field of expertise.

To maintain the quality of management, the DOH, in coordination with the DSWD, 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 cause of termination.

The members of the Board shall be composed of a maximum of fifteen (15) 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:

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- 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 NCGHRI;
 - b. Formulate and develop programs for the enhancement of healthcare services for senior citizens, including the training of NCGHRI 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 NCGHRI;
 - d. Receive in trust legacies, gifts, and donations of real and personal properties of all kinds and to administer the same for the benefit of the NCGHRI, 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. Receive and appropriate to the ends specified by law such sums as may be provided by law for the support of the NCGHRI; and,
 - f. Perform all such other acts as may be necessary for or incidental to the accomplishment of the objectives of the NCGHRI.

SECTION 9. Organizational Structure and Staffing Pattern - The Board shall determine the organizational structure and staffing pattern of the NCGHRI 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 NCGHRI.

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 fundamental and specific qualifications prescribed by existing laws.

SECTION 11. Chief Operating Officer – The NCGHRI shall be headed by a Chief Operating Officer who shall be appointed by the President of the Philippines for a term of two (2) years and renewable upon the recommendation of the Secretary of Health.

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

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- 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 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 NCGHRI and may delegate this power and any or some of his administrative responsibilities and duties to the other officers of the NCGHRI;
 - d. Execute, on the 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 NCGHRI in all dealings with other persons or entities, whether domestic or foreign, and whether government and private;
 - f. Determine the staffing pattern and the number of personnel of the NCGHRI 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 NCGHRI; 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 the majority of the members of the Board of Trustees. Six (6) members of the Board shall constitute a quorum for the transaction of official business.

SECTION 13. Property of the Corporation – the property of the Corporation shall consist of real, personal, and other type of property previously owned by the NCGHRI or reserved for or may hereafter be given, donated, acquired, transferred or conveyed to it by the Philippine government, its branches and instrumentalities, or any foreign government, as well as by trust, foundation, corporations or persons, 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 NCGHRI upon the recommendation of the Chief Executive Officer, subject to the 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 in good standing, 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 Corporation and in pursuit of its defined objectives and purposes may be allowed by special resolution of the Board of Trustees.

The appointive non government 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 NCGHRI shall be consistent with the provisions of the Civil Service Law, rules and regulations, except as otherwise provided for in this Act.

SECTION 18. Security of Tenur of Civil Service Officers and Employees of the Corporation - The provisions of Republic Act No. 6656 entitle, "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 Corporation 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 NCGHRI 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 and benefits of the employees and officers.

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

SECTION 21. Assistance from Other Government Offices - The NCGHRI may call upon any department, bureau, office, agency, or instrumentality of the government, for 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 NCGHRI in the accomplishment of its objectives and activities.

SECTION 22. Program of Indigents - The Board shall ensure that the NCGHRI shall adopt and enforce a program for indigents. The number of beds allocated for the indigent patients shall not be less than forty percent (40%) of the total number hospital beds.

SECTION 23. Tax Exemptions - Any donation, bequests, and grants 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 the National Internal Revenue Code of 1997, as amended.

SECTION 24. Hospital Trust Fund - All funds not coming from the General Appropriations Act such as contributions from taxes and assessments from authorizes sweepstakes lotteries, donations, legacies, endowment from various sources, domestic and foreign entities, and individuals, income of pay wards and 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 expenditures.

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

SECTION 26. Annual Report - The NCGHRI 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 NCGHRI and such personnel as may be necessary.

SECTION 28. Effect of Dissolution - In the event that the Corporation is dissolved for any reason, its property remain 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 to the appropriations for the Department of Health, under the current General Appropriations Act. Thereafter, such sum as may be necessary for the continued operations of the NCGHRI 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) national newspapers of general circulation.

A handwritten signature in dark ink, consisting of a stylized, cursive letter 'J' followed by a horizontal stroke.