

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 7448



Introduced by
HON. SHAREE ANNE T. TAN,
HON. YEDDA MARIE K. ROMUALDEZ
and
HON. FERDINAND MARTIN G. ROMUALDEZ

EXPLANATORY NOTE

The primary purpose and most significant role of hospitals and health institutions is to help save lives. To achieve this end they must provide adequate and competent medical services to the people.

Article II, Sec. 15 of the 1987 Constitution provides that: "The State shall protect and promote the right to health of the people and instill health consciousness among them." This is further bolstered by Art. XIII, Sec. 11 which provides in part 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. xxx"

With the rapid increase in the population of Region VIII, particularly in the province of Samar, residents from nearby cities and municipalities travel to Tacloban City for a complete medical treatment. Consequently, due to lack of available space in the hospital, a considerable number of patients are not accommodated at once and many have to wait for their turn.

For this reason, this bill seeks to integrate the Samar Provincial Hospital, Calbayog District Hospital, Gandara District Hospital, Basey District Hospital and Tarangnan Community Hospital into a single hospital system to be known as Ospital Han Samar, under the supervision, control and management of the provincial government of Samar. An integrated single Hospital System is a network of provincial government-owned healthcare facilities under one parent hospital.

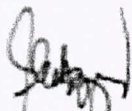
Moreover, this bill seeks to increase the overall bed capacity of the Ospital Han Samar to eight hundred fifty (850) beds.

Furthermore, the existing Samar Provincial Hospital in Catbalogan City shall serve as the primary facility of the Ospital Han Samar, while Calbayog District Hospital, Gandara District Hospital, Basey District Hospital and Tarangnan Community Hospital shall be converted into constituent facilities, to be referred to as Ospital Han Samar-Calbayog, Ospital Han Samar-Gandara, Ospital Han Samar-Basey, and Ospital Han Samar-Tarangnan, respectively.

In addition to the hospital system-wide referral system and rationalization of health services, each constituent facility shall provide basic hospital services, diagnostic units and level service capability of Tertiary Level III for Ospital Han Samar-Catbalogan, Level II for Ospital Han Samar-Calbayog, Level I for Ospital Han Samar-Basey, Ospital Han Samar-Gandara and Ospital Han Samar-Tarangnan and lastly, ensure compliance with hospital licensure regulations.

The increase in bed capacity, upgrade of its facilities and a workforce commensurate to the increase would provide a more effective and efficient delivery of medical services and healthcare to the people of Samar. Hence the passage of this bill is of utmost importance to guarantee health for all and uplift the quality of life and well-being of the people in the province of Samar.

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



Rep. SHAREE ANNE T. TAN
Representative, Second District of Samar



Rep. YEDDA MARIE K. ROMUALDEZ
Representative, Tingog Sinirangan



Rep. FERDINAND MARTIN G. ROMUALDEZ
Representative, First District of Leyte

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Introduced by
HON. SHAREE ANNE T. TAN,
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AN ACT INTEGRATING THE SAMAR PROVINCIAL HOSPITAL, CALBAYOG DISTRICT HOSPITAL, GANDARA DISTRICT HOSPITAL, BASEY DISTRICT HOSPITAL AND TARANGNAN COMMUNITY HOSPITAL INTO A SINGLE HOSPITAL SYSTEM TO BE KNOWN AS OSPITAL HAN SAMAR UNDER THE SUPERVISION, CONTROL AND MANAGEMENT OF THE PROVINCIAL GOVERNMENT OF SAMAR, INCREASING ITS OVERALL BED CAPACITY TO EIGHT HUNDRED FIFTY (850), WITH OSPITAL NG SAMAR-CATBALOGAN AS TERTIARY LEVEL III, OSPITAL NG SAMAR-CALBAYOG AS LEVEL II, OSPITAL NG SAMAR-GANDARA, OSPITAL NG SAMAR-BASEY AS LEVEL I AND OSPITAL NG SAMAR-TARANGNAN AS LEVEL I, UPGRADING ITS SERVICE FACILITIES AND PROFESSIONAL HEALTH CARE, AUTHORIZING THE INCREASE OF ITS MEDICAL PERSONNEL AND APPROPRIATING FUNDS THEREFOR.

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

Section 1. Short Title. – This Act shall be known as the “Ospital Han Samar Act”.

Section 2. Declaration of Policy. - It is the declared policy of the State shall protect and promote the right to health of the people and instill health consciousness among them. Towards this end, the State shall give adequate,

accessible and affordable primary, secondary and tertiary health services to all the citizens.

Section 3. *Integration and Conversion.* - The Samar Provincial Hospital in the City of Catbalogan, the Calbayog District Hospital in the City of Calbayog, the Gandara District Hospital in the municipality of Gandara, Basey District Hospital in the municipality of Basey and Tarangnan Community Hospital in the Municipality of Tarangnan shall be integrated into a single hospital system to be known as the Ospital Han Samar, under the full administrative and technical supervision, control and management of the Provincial Government of Samar. An integrated single Hospital System is a network of provincial government-owned healthcare facilities under one parent hospital.

The existing Samar Provincial Hospital in Catbalogan City shall serve as the primary facility of the Ospital Han Samar, while Calbayog District Hospital, Gandara District Hospital, Basey District Hospital and Tarangnan Community Hospital shall be converted into constituent facilities, to be referred to as Ospital Han Samar-Calbayog, Ospital Han Samar-Gandara, Ospital Han Samar-Basey, and Ospital Han Samar-Tarangnan, respectively. In addition to the hospital system-wide referral system and rationalization of health services, each constituent facility shall provide basic hospital services, diagnostic units and level service capability of Tertiary Level III for Ospital Han Samar-Catbalogan, Level II for Ospital Han Samar-Calbayog, Level I for Ospital Han Samar-Basey, Ospital Han Samar-Gandara and Ospital Han Samar-Tarangnan and lastly, ensure compliance with hospital licensure regulations.

Section 4. *Objectives.* – To ensure the availability, accessibility and affordability of quality health care services, the Ospital Han Samar shall have the following main objectives:

- (a) To integrate Samar Provincial Hospital in in the city of Catbalogan, city of Calbayog, the Gandara District Hospital in the municipality of Gandara and Basey District Hospital in the municipality of Basey and Tarangnan Community Hospital in the municipality of Tarangnan into a single Hospital System with the service capability of a level service capability of Tertiary Level III for Ospital Han Samar-Catbalogan, Level II for Ospital Han Samar-Calbayog, Level I for Ospital Han Samar-Basey, Ospital Han Samar-Gandara and Ospital Han Samar-Tarangnan and lastly, ensure compliance with hospital licensure regulations.
- (b) To provide easy, affordable and timely access to tertiary health care for the people of the province of Samar, especially the underprivileged, the poor, disabled, women and children, and as resources would allow, free medical care to indigent citizens;
- (c) To provide teaching, training and research facilities for students in medicine, nursing, therapy, x-ray technology and other allied health profession in Samar Island and other neighboring provinces through the Ospital Han Samar;
- (d) To promote, encourage and engage in scientific research in the prevention of diseases and the care and treatment of patients and related activities, including the grant of scholarships and conduct of relevant congresses, conventions, seminars and conferences; and
- (e) To provide other medical services pursuant to the goals, objectives and rules of the Universal Health Care Act.

Section 5. Increase in Bed Capacity. - The authorized overall bed capacity of the Ospital han Samar shall be increased to eight hundred fifty (850) beds divided into three hundred (300) beds for Ospital Han Samar-Catbalogan, three hundred (300) beds for Ospital Han Samar-Calbayog, one hundred (100)

for Ospital Han Samar-Basey, one hundred (100) beds for Ospital Han Samar-Gandara and fifty (50) beds for Ospital han Samar-Tarangnan. The increase in bed capacity shall be implemented for a period of not more than five (5) years from the effectivity of this Act.

Section 6. *Upgrading of Facilities and Services.* - The existing service facilities and professional health care services of the Ospital han Samar are hereby upgraded and increased to conform and commensurate with the increase in its bed capacity, consistent with the requirements of modern medical services and its status as a level service capability of Tertiary Level III for Ospital Han Samar-Catbalogan, Level II for Ospital Han Samar-Calbayog, Level I for Ospital Han Samar-Basey, Ospital Han Samar-Gandara and Ospital Han Samar-Tarangnan.

The Department of Health, in coordination with the Provincial Government of Samar, shall support the integration, expansion and upgrading of the Ospital Han Samar System as to funds, human resource, hospital infrastructure, equipment, facilities and land acquisition towards the efficient delivery of the hospital healthcare services. The following shall be the role of the two parties:

a. The DOH through Local Investment Plan for Health (LIPH) shall be responsible for the infrastructure, equipment, additional manpower, technical assistance, facilitate trainings and documentary requirements and licensing/accreditation according to the level of each hospital, in adherence to responsibilities set forth in the Universal Health Care Act.

b. The Provincial Government of Samar shall provide manpower with plantilla positions adhering to DBM staffing pattern of government hospitals, infrastructure, repair and maintenance, medical supplies and MOOE.

Section 7. Ospital Han Samar Board – There shall be established the Ospital han Samar Board, the composition of which shall be as follows:

- (a) Provincial Governor of Samar, as chairperson;
- (b) Medical Director, Ospital Han Samar System, as vice chairperson;
- (c) Chief of Hospital, Ospital Han Samar-Gandara;
- (d) Chief of Hospital, Ospital Han Samar-Basey;
- (e) Chief of Hospital, Ospital Han Samar-Calbayog;
- (f) Chief of Hospital, Ospital Han Samar-Tarangnan;
- (g) Chief of Hospital, Ospital Han Samar-Catbalogan City;
- (h) Provincial Health Officer, Province of Samar;
- (i) Member representing the Philippine Medical Association;
- (j) Member representing the Philippine Nurses Association;
- (k) Member representing non-government organizations involved in allied health services;
- (l) Member representing the private sector;
- (m) Regional Director, Department of Health Center for Health Development VIII (Eastern Visayas);
- (n) Planning Director, Department of Health Center for Health Development VIII (Eastern Visayas);
- (o) Regional Vice President, Eastern Visayas, Philippine Health Insurance Corporation; and
- (p) Member representing health maintenance organizations (HMO) and private medical insurance institutions.

The members of the Board, except *ex officio* members, shall be appointed by the Provincial Governor.

Section 8. Powers and Responsibilities of the Board – The Board of the Ospital han Samar shall have following powers and responsibilities:

- (a) To formulate and implement measures and programs to attain the objectives and purposes as enunciated in this Act;
- (b) To determine and promulgate policies for the sound administration, maintenance, and operations of the hospital system;
- (c) To organize the structure of the Ospital Han Samar System in accordance with the staffing pattern prepared by it in coordination with the Department of Health (DOH) and Civil Service Commission (CSC), and approved by the Department of Budget and Management (DBM);
- (d) To appoint the officials, employees and other personnel of the hospital system, subject to civil service laws, rules and regulations, and to prescribe their duties and fix their compensation subject to the provisions of Republic Act No. 6758, otherwise known as the Salary Standardization Law;
- (e) To enter into agreements and contracts in connection with its establishment, maintenance and operations of the hospital system;
- (f) To formulate and implement guidelines on the proper disposition of contributions, donations, bequests, subsidies or financial aid / assistance received by the hospital system;
- (g) To issue rules and regulations to carry out the objectives and purposes of this Act; and
- (h) To perform such other duties and functions as may be provided by law.

Section 9. *Meetings and Quorum* – The Board shall meet at least once a month or as often as may be necessary. Special meetings may be convened at the call of the Chairman or by a majority of the members of the Board.

A majority of the members of the Board shall constitute a quorum but the chairman and the vice-chairman must be present during meetings where budgetary proposals are prepared or considered. Members thereof who are not government officials or employees shall be entitled to necessary traveling expenses and allowance chargeable against the funds of the Ospital Han Samar, subject to accounting and auditing rules and regulations.

Section 10. *Referral System and Rationalization of Services* – The Board shall institute a system for referral and rationalization of services within and outside the constituent facilities of the hospital system to ensure the proper and seamless delivery of quality health services and avoid the delay in the delivery of services. There shall be a hospital network manual of operations to support the Act.

As a commitment to provide quality health services to all the constituents within the jurisdiction of Samar, the Ospital Han Samar shall adhere to the Hospital Referral System and Rationalization of Services. All patients shall be firstly managed in the Barangay Health Stations (BHS) or Rural/City Health Units (RHU). If the needed services are not available at the BHS or RHU the patient shall be properly referred to the nearest Ospital Han Samar utilizing the hospital network manual of operations. The receiving hospital shall assure that the needed medical services are available, if not, the referral shall be redirected to the tertiary-level Ospital han Samar in the City of Catbalogan.

Section 11. *Medical Director* – The Ospital Han Samar shall be headed by a Medical Director who is a licensed physician and with experience in hospital administration and management for at least five (5) years. The Medical Director shall be appointed by the Provincial Governor.

Section 12. *Powers and Responsibilities of the Medical Director* –

The Medical Director shall serve as the chief executive officer responsible for the following powers and responsibilities:

- (a) Direct and supervise overall administration, management and operations of the Ospital Han Samar;
- (b) Execute the policies, guidelines and programs approved by the Board;
- (c) 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 of this Act;
- (d) Delegate specific administrative responsibilities and duties to the Chiefs of Hospitals of the constituent facilities, or to other officers of the hospital system;
- (e) Represent the hospital system in all dealings with other offices, agencies, and instrumentalities of the government, and all other persons or entities, domestic or foreign, and whether public or private;
- (f) Ensure the provision of high-quality healthcare and high standards of clinical training for medical and allied medical personnel; and
- (g) Performance of such other duties and functions as may be assigned by the Board or as provided law.

In order to facilitate the transition towards the creation of the Ospital Han Samar, the incumbent Chief of Hospital of Samar Provincial Hospital, if qualified, shall assume the position of Medical Director, until such time a duly qualified successor has been appointed.

Section 13. *Chief of Hospitals of Constituent Facilities* – The day-to-day operations of the constituent facilities in Calbayog, Gandara, Basey and Tarangnan shall be overseen by a Chief of Hospital to be appointed by the

Provincial Governor of Samar. The Chief of Hospital must be a licensed medical doctor by profession with at least three years of experience in hospital administration.

Section 14. *Transfer of Assets and Liabilities.* - Facilities, land and buildings, equipment and human resources, including, but not limited to, its documents, medical and nonmedical records, other assets, liabilities and obligations of the existing Samar Provincial Hospital, Calbayog District Hospital, Gandara District Hospital, Basey District Hospital and Tarangnan Community Hospital shall remain with each respective hospital.

Section 15. *Security of Tenure.* - The position, seniority, security and other rights of tenure of all medical and non-medical personnel of the Samar Provincial Hospital, Calbayog District Hospital, Gandara District Hospital, Basey District Hospital and Tarangnan Community Hospital shall continue to be honored under this Act.

Section 16. *Assistance from Other Government Offices* – All individuals, entities and institutions are hereby enjoined to render full assistance and cooperation to the Ospital Han Samar as it may need in the pursuit of purposes and objectives.

Section 17. *Role of Philippine Health Insurance Corporation (PHIC).*
- The Philippine Health Insurance Corporation will take the lead in ensuring financial sustainability of the Ospital Han Samar. Its role is to ensure all services of the hospital must be reimbursed in a reasonable period of time.

Section 18. *Role of Health Maintenance Organizations and other Private Health Insurance Institutions.* HMOs and other private health insurance institutions shall assist in providing additional services of the hospital in terms of payment of billed services.

Section 19. *Tax Exemption on Donations* – All donations, contributions or endowment which may be made by entities or persons to the Ospital han Samar shall be exempt from income and gift taxes.

Section 20. *Implementing Rules and Regulations*. – Within sixty (60) days from the effectivity of this Act, the Department of Health, in coordination with the Department of Interior and Local Government, the Civil Service Commission, the Department of Budget and Management and the Ospital han Samar shall issue the rules and regulations necessary for the effective implementation of this Act.

Section 21. *Appropriations*. – The Secretary of Health shall immediately include in the program of the Department of Health the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

Section 22. *Repealing Clause*. – All laws, orders, decrees, rules, rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 23. *Separability Clause*. - If any part or provision of this Act shall be declared to be unconstitutional or invalid, other parts or provision hereof which are not affected thereby shall continue to be in full force and effect.

Section 24. *Effectivity*. - This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,