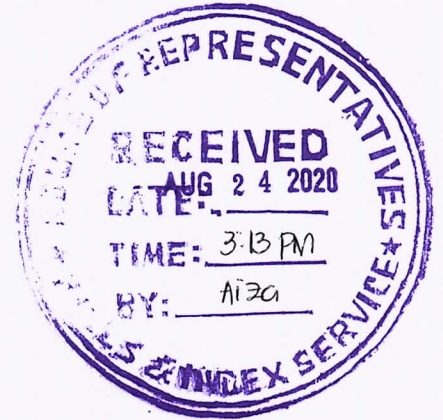


REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 7469



Introduced by **MAGDALO Party-List Representative**
HON. MANUEL DG. CABOCHAN III

EXPLANATORY NOTE

Article 11, Section 15 of the 1987 Constitution states that: "*The State shall protect and promote the right to health of the people and instill health consciousness among them*".

The COVID-19 pandemic has exposed the weaknesses and limitations of our health system. As the number of cases infected by the virus increase, public and private hospitals are being overwhelmed. This heavily strained the already limited healthcare workers in our hospitals. Aside from this, healthcare workers themselves get infected which further reduces the available human resources to serve in the frontlines.

The lack of healthcare workers greatly hampers our capacity to fight the disease. This is why there have also been calls for volunteer doctors, nurses, and other medical personnel. However, we cannot rely on such an indefinite and interim mechanism most especially during emergencies or crises.

Upholding the constitutional provision abovementioned and addressing the gaps of the existing healthcare system, this bill proposes the establishment of a Medical Reserve Corps. The Corps shall be composed of graduates of medicine, nursing,

medical technology, and other health-related fields who have yet to acquire their respective licenses to practice. The Corps may be called upon to mobilize and assist the national or local government in providing medical services in times of emergencies. This measure ensures the protection of health of our people and raises national preparedness.

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



MANUEL DG. CABOCHAN III

Representative

Magdalo Para Sa Pilipino Party-List

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HON. MANUEL DG. CABOCHAN III

AN ACT
INSTITUTING THE MEDICAL RESERVE CORPS, APPROPRIATING FUNDS
THEREFOR AND FOR OTHER PURPOSES

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

1 SECTION 1. *Short Title.*— This Act shall be known as the "Medical Reserve
2 Corps Act of 2020."

3
4 Sec. 2. *Declaration of Policy.*— It shall be the policy of the State:

5 (a) To institutionalize the vital role of medical and health-related personnel in
6 nation-building;

7 (b) To promote and protect the physical, moral, spiritual, intellectual, and
8 social well-being of medical and health-related personnel;

9 (c) To inculcate patriotism and nationalism among the medical and health-
10 related personnel and encourage their involvement in public and civic
11 affairs; and

12 (d) To train, equip and organize medical and health-related personnel, within
13 the current framework of national and territorial defense, law enforcement

1 and peace and order and national disaster risk reduction and
2 management, and prepare them for rapid mobilization to address national
3 and/or local contingencies which may require manpower beyond existing
4 capabilities.

5
6 Sec. 3. *Medical Reserve Corps.*— There is hereby established a Medical
7 Reserve Corps, referred herein as the Corps, which shall be composed of all persons
8 who have degrees in medicine, nursing, medical technology, and other health-
9 related fields but have yet to acquire their respective licenses to practice for reasons
10 such as but not limited to not having taken and/or passed the licensure
11 examinations in their respective professions. The Corps shall be under the
12 supervision and control of the Department of Health and shall be placed under its
13 Health Emergency Management Bureau.

14
15 Sec. 4. *Serial Numbers and Registry.*— Upon completion of their respective
16 degrees, the graduates shall be issued individual serial numbers which will serve as
17 their identification in case of deployment.

18
19 The DOH shall maintain and update a registry or database containing the
20 names of the members of the Corps, serial numbers, address, contact details and
21 such other information as the DOH may determine, in accordance with any
22 applicable privacy laws. For this purpose, all public and private colleges, universities
23 and learning institutions are hereby mandated to annually transmit their records of
24 the graduates covered under this Act to the DOH, in the form as may be determined
25 by the DOH.

26
27 Members of the Corps shall be accounted for, their records and status
28 updated, and present whereabouts ascertained in order to ensure their readiness to
29 the call of service. All members are required to update their addresses and contact
30 details on file with the DOH as often as necessary. The orders of deployment sent to
31 the addresses and/or through the contact details on file with the DOH shall be

1 sufficient notice for purposes of deployment. The DOH may also tap the local
2 government units to assist in the accounting of members.

3
4 *Sec. 5. Compensation and Benefits.* – A member of the Corps ordered for
5 mobilization shall receive all the pay and allowances, medical care, hospitalization
6 and other privileges and benefits during the period of mobilization as prescribed by
7 laws or regulations.

8
9 *Sec. 6. Mobilization of the Medical Reserve Corps.*– In times of national
10 emergencies and other contingencies, the members of the Corps may be called upon
11 and mobilized to assist the national government, its agencies and instrumentalities,
12 and the local government in their functions related to addressing the medical needs
13 of the public.

14
15 The mobilization shall be initiated by the Secretary of Department of Health
16 (DOH), upon the recommendation of the Director of the Health Emergency
17 Management Bureau and in coordination with the Secretaries of the Department of
18 National Defense (DND), Department of Education (DepEd), and Department of
19 Interior and Local Government (DILG), and the Chairperson of the Commission on
20 Higher Education (CHED), or their duly authorized representatives with a rank of at
21 least Undersecretary.

22
23 From time to time, as manpower and training resources may allow during the
24 period of national emergencies and other contingencies, the Corps may be called for
25 re-training to maintain and enhance its level of competency and readiness for
26 mobilization.

27
28 *Sec. 7. Request for Deployment.*– The Corps may be called upon and
29 mobilized to assist the national government, its agencies and instrumentalities, and
30 the local government units in their functions related to addressing the medical needs
31 of the public through requests for deployment by the heads of such national
32 government agencies or local government units submitted to the DOH. The requests

1 shall contain a justification for the deployment of the Corps and shall contain
2 information as may be required by the DOH, including the nature of the national or
3 local contingencies to be addressed, the purpose of the requested deployment, tie
4 number of personnel requested to be deployed and the period of deployment.

5
6 *Sec. 8. Evaluation of the Request for Deployment.*— The DOH shall evaluate
7 the requests for deployment. When the number of personnel requested does not
8 exceed one hundred fifty (150) and the period of deployment does not exceed sixty
9 (60) days, the DOH shall decide whether to approve or disapprove the request
10 within twenty-four (24) hours from receipt thereof. When the number of personnel
11 requested exceeds one hundred fifty (150) or the period of deployment exceeds
12 sixty (60) days, the DOH shall make a recommendation to the Office of the President
13 (OP) within twenty-four (24) hours from receipt of request. The OP shall decide
14 whether to approve or disapprove the request within twenty-four (24) hours from
15 receipt of the recommendation of the DOH.

16
17 In case of the approval of the request for deployment, the DOH shall issue an
18 Order of Deployment requiring the Corps, or a number thereof, to assist the national
19 government, its agencies and instrumentalities and the local government units in
20 their functions related to addressing the health-related needs of the public.

21
22 *Sec. 9. Deployment in Case of a Declaration of a State of War, State of*
23 *Lawless Violence or State of Calamity; Nationwide Mobilization.*— In case of a
24 declaration of a state of war, state of lawless violence or state of calamity, the DOH
25 may *motu proprio* recommend the mobilization of the Corps to the President. The
26 President, by himself, shall also have the power to order the mobilization of the
27 Corps to respond to national or local contingencies related to external and territorial
28 defense, internal security and peace and order and/or disaster risk reduction
29 management.

30
31 *Sec. 10. Operationalization of Deployment.*— The DOH shall promulgate the
32 specific mechanisms by which deployment is efficiently implemented, including but

1 not limited to the organization of the Corps to be deployed, territorial assignment,
2 communication of deployment orders to each member of the Corps and to which
3 mobilization center they will report.

4
5 Sec. 11. *Mobilization Centers.*— There shall be established in each province
6 and city as many mobilization centers as needed according to the number and
7 geographical distribution of the Corps, where they will report in case of deployment.
8 Mobilization centers may be any establishment or facility that can adequately house
9 the members of the Corps, equipment and supplies during the period of deployment,
10 including but not limited to multi-purpose halls, gymnasiums and other similar
11 structures, and based on other requirements prescribed by the DOH. The DOH, in
12 consultation with the local executives, shall likewise prescribe the location of the
13 mobilization centers. The location of these centers shall be given the widest public
14 information by the local executives.

15
16 Sec. 12. *Mobilization Stock.*— The minimum essential individual and
17 organizational medical equipment and supplies shall be procured, stored and
18 maintained to enhance rapid transition to readiness required for employment in the
19 shortest possible time. The DOH shall ensure and maintain the necessary capacity to
20 scale up the procurement of these equipment and supplies as may be needed during
21 the period of mobilization.

22
23 Sec. 13. *Enlistment of the AFP.* — The AFP may be enlisted by the Secretary of
24 Health to provide expertise on the organization and structure of the Corps for
25 efficient, effective and swift deployment, as well as training in disaster and
26 emergency response. Further, the Secretary of Health may recommend to the
27 President the enlistment of the AFP to supplement the mobilized Corps for the
28 purpose of providing logistics and manpower for large-scale operations in times of
29 disaster or other health emergency, enforcing the quarantine of specific areas or
30 facilitating the transport of patients with emerging infectious diseases, and for such
31 other purposes as determined by the DOH.

1 Sec. 14. *Expenses of Deployment.*— Upon deployment, the national
2 government agency or the local government unit to which the Corps is deployed
3 shall shoulder the operational expenses of deployment.
4

5 Sec. 15. *Termination of Deployment.*— Upon the expiration of the requested
6 period of deployment, without an extension requested and approved by the DOH,
7 the Corps shall be discharged of its duties. The deployment may also be terminated
8 earlier upon determination by the DOH, in consultation with the requesting national
9 government agency or local government units, that such deployment is no longer in
10 accordance with the objectives and purposes of this Act.
11

12 Sec. 16. *Annual Reports.*— The DOH shall regularly publish an annual report
13 containing a list of its accomplishment, status of its operations, number and
14 demography of the Corps, assessment of readiness for mobilization and the
15 incidence and details of each mobilization for the year concerned. The annual report
16 shall also include the results of the audit investigation on the spending of funds
17 appropriated, collected or advances for the implementation of the provisions of this
18 Act.
19

20 Sec. 17. *Effect on Employment.*— Deployment of employees in accordance
21 with the provisions of this Act shall not be a ground for dismissal or diminution of
22 any benefit enjoyed prior to their deployment. The members of the Corps shall be
23 entitled to their regular wage or salary during the period of deployment.
24

25 An employer who dismisses or sanctions an employee, or deprives him/her of
26 pay, allowances, privileges and benefits by reason of his/her deployment as provided
27 for in this Act, shall be subject to a fine of not less than Ten Thousand Pesos
28 (P10,000.00) but not more than One Hundred Thousand Pesos (P100,000.00)
29 and/or imprisonment of not more than two (2) years. If the offense is committed by
30 a corporation, trust, firm, partnership, association or any other entity, the penalty
31 shall be imposed upon the guilty officer or officers of such entity.
32

1 Sec. 18. *Penalties for Failure to Respond to Order of Deployment.*— Failure to
2 respond to the order of deployment despite notice sent to the address and/or
3 contact details on file with the DOH without any justifiable reason shall, upon
4 conviction by a civil court, be punishable as follows:

5 (a) First Offense: one hundred twenty (120) hours of community service;

6 (b) Second Offense: two hundred forty (240) hours of community service;

7 (c) Third and Subsequent Offenses: six (6) months imprisonment and four
8 hundred eighty (480) hours of community service.

9
10 Sec. 19. *Disciplinary and Corrective Proceedings.*— Administrative offenses
11 committed by persons involved in or in relation to the implementation of this Act,
12 shall be subject to the administrative penalties in accordance with the applicable civil
13 service rules or rules and regulations of the Professional Regulation Commission, as
14 the case may be.

15
16 Sec. 20. *Implementing Rules and Regulations.*— The DOH shall be tasked to
17 formulate and approve the necessary rules and regulations to implement the
18 objectives and purposes of this Act within thirty (30) days from its effectivity. The
19 rules and regulations shall include provisions on the structure and organization of
20 the Corps, and such other matters as the DOH may deem necessary or essential to
21 fully implement the objectives and purposes of this Act.

22
23 Sec. 21. *Appropriations.*— The amount needed for the initial implementation of
24 this Act shall be taken from the current year's appropriations of the DOH.
25 Thereafter, such sums as may be necessary for its continued implementation shall
26 be included in the annual General Appropriations Act.

27
28 Sec. 22. *Separability Clause.*— If any portion or provisions of this Act is
29 declared unconstitutional, the remainder of this Act or any provisions not affected
30 thereby shall remain in force and effect.

1 Sec. 23. *Repealing Clause.*— Any law, presidential decree or issuance,
2 executive order, letter of instruction, rule or regulation inconsistent with the
3 provisions of this Act is hereby repealed or modified accordingly.

4
5 Sec. 24. *Effectivity.*— This Act shall take effect after fifteen (15) days following
6 its complete publication in the Official Gazette or a newspaper of general circulation.

Approved,