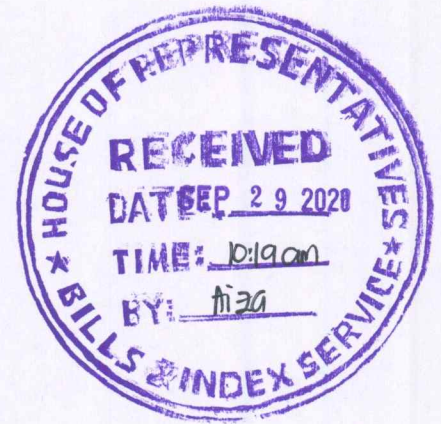


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 7791



Introduced by **Rep. ANGELO MARCOS BARBA**
2nd District, Ilocos Norte

**AN ACT MANDATING ELECTIVE AND APPOINTIVE
CABINET-LEVEL OFFICIALS TO ANNUALLY SUBMIT A MEDICAL
CERTIFICATE SHOWING FITNESS TO WORK AND FOR OTHER
PURPOSES**

EXPLANATORY NOTE

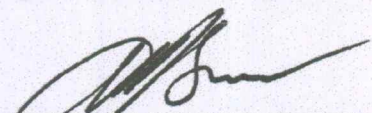
Government plays a key role when it comes to health. Health, however, has a much greater role in government. A healthy workforce has a significant impact on the efficiency and effectiveness of public service. In a similar vein, the health of public officials holding elective and appointive positions are important for the proper performance of their functions.

This proposed measure seeks to require elective and appointive cabinet-level officials to annually submit a medical certificate showing their physical fitness to perform the duties and responsibilities attendant to their position.

By reason of their office, elective and appointive cabinet-level officials are held at a much higher standard than any other official or employee in government. They are expected to perform and discharge their duties with utmost responsibility, integrity, and competence. However, elective and appointive cabinet-level officials rarely go through health or medical screening process for purposes of employment that other appointive officials and government employees normally do.

It is therefore imperative that elective and appointive cabinet-level officials become transparent as to their health condition. This administrative requirement ensures that elective and appointive cabinet-level, whose mandate came directly from the people, are physically fit to perform and discharge their functions as provided by Philippine laws and government rules and regulations.

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


ANGELO MARCOS BARBA

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House Bill No. **7791**

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1 **AN ACT MANDATING ELECTIVE AND APPOINTIVE**
2 **CABINET-LEVEL OFFICIALS TO ANNUALLY SUBMIT A MEDICAL**
3 **CERTIFICATE SHOWING FITNESS TO WORK AND FOR OTHER**
4 **PURPOSES**

5
6 *Be it enacted by the Senate and the House of Representatives of the*
7 *Philippines in Congress assembled:*

8
9 **SECTION 1.** *Short title.* – This Act shall be known as the “*Fit-to-Work*
10 *Act*”.

11
12 **SECTION 2.** *Declaration of Policy.* – It is hereby declared the policy of
13 the State to promote good state of health and raise the level of health
14 consciousness among public officials for the proper performance of their
15 duties and responsibilities and warrant transparency as to the health
16 condition or status of public officials.

17
18 **SECTION 3.** *Definition of Terms.* – As used in this Act, the following
19 terms shall mean:

- 20
21 a. *Fit to work* – means being able to perform their functions based on the
22 duties and responsibilities provided by law and government rules and
23 regulations;
24
25 b. *Government* – refers to the national government, local governments,
26 and all other departments, instrumentalities, or agencies of the
27 Republic of the Philippines, including government-owned corporations
28 and their subsidiaries;
29
30 c. *Public officials* – refers to elective and appointive cabinet-level
31 officials;
32
33 d. *Medical Certificate* – refers to a written statement, issued by a
34 government physician, attesting to the result of a medical examination
35 undergone by the patient-public official;

36
37 **SECTION 4.** *Mandatory Submission of Medical Certificate.* – On or
38 before April 30 of every year, all public officials, as defined in this Act, shall

1 submit a medical certificate, including their laboratory test results, showing
2 their physical fitness to perform the duties and responsibilities attendant to
3 their position.
4

5 **SECTION 5. *Sponsorship/Conduct of Annual Physical Examination of***
6 ***Public Officials.*** – Annual physical examinations sponsored by the
7 government agency or conducted in partnership with its health maintenance
8 organization shall be allowed in this Act. The performance of physical
9 examination and laboratory tests may be in a private or government hospital,
10 or a DOH-accredited diagnostics clinic.
11

12 **SECTION 6. *Evaluation of Medical Examination Results.*** – Results of
13 physical examination and laboratory tests performed shall be evaluated by a
14 government physician who shall issue a medical certificate containing a
15 summary of his or her findings and a declaration that the patient is fit to work
16 or needs further examination.
17

18 **SECTION 7. *Access to Medical Certificates.*** – The medical certificate
19 submitted under this Act, excluding laboratory test results attached to it, shall
20 be made available for inspection at reasonable hours.
21

22 It shall be made available for copy or reproduction after ten (10) working
23 days from the time of submission as required under this Act; *Provided*, That
24 any person requesting a copy of the said document shall be required to state
25 the purpose; *Provided further*, That the purpose stated must be legal;
26 *Provided finally*, That the person requesting shall pay a reasonable fee to
27 cover its reproduction and mailing costs.
28

29 Access to the medical certificate shall be available to the public for a period
30 of ten (10) years from receipt thereof. The document shall be destroyed after
31 such period, unless needed in an ongoing investigation.
32

33 **SECTION 8. *Implementing Agency.*** – The Civil Service Commission shall
34 have the primary responsibility for the administration and enforcement of this
35 Act.
36

37 **SECTION 9. *Non-compliance with the requirement.*** – Failure to comply
38 with the requirement of this Act shall constitute an administrative offense and
39 subject the public official to administrative discipline.
40

41 **SECTION 10. *Liability under the Revised Penal Code.*** – Issuance of false
42 medical certificate for purposes of this Act shall be governed by Articles 174
43 and 175 of the Revised Penal Code.
44

45 **SECTION 11. *Implementing Rules and Regulations.*** – Within ninety (90)
46 days from the approval of this Act, the Civil Service Commission shall
47 promulgate the necessary rules and regulations for the effective
48 implementation of this Act.
49

1 **SECTION 12. *Separability Clause.*** – If any provision of this Act shall be
2 declared unconstitutional or invalid, the other provisions shall not be affected
3 and shall remain valid.

4
5 **SECTION 13. *Repealing Clause.*** – All laws, decrees, executive orders,
6 rules and regulations inconsistent with or contrary to this Act are hereby
7 repealed or modified.

8
9 **SECTION 14. *Effectivity Clause.*** – This Act shall take effect after fifteen
10 (15) days following its publication in two (2) national newspapers of general
11 circulation.

12
13 Approved,