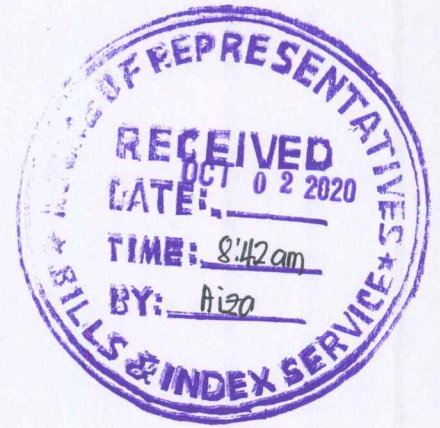


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 7815



Introduced by Rep. Janette Loreto-Garin, MD, MBA-H

AN ACT PROVIDING ADDITIONAL SUPPORT AND PROTECTION TO SENIOR CITIZENS IN THE TIME OF PUBLIC HEALTH CRISIS, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 9994, OTHERWISE KNOWN AS THE "EXPANDED SENIOR CITIZENS ACT OF 2010", AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Senior Citizens belong to a special class of individuals who are protected by the 1987 Philippine Constitution¹. Upon reaching the age of sixty (60), the level of opportunities available to an individual decline as the risk of deterioration of health inclines. Especially in the time of the pandemic, our senior citizens should be given ample protection by the state in order to ensure their health and overall well-being.

In the most recent available data from the Population Commission, there are 7.5 million² senior citizens in the country. Roughly 50% of the senior citizens are not receiving any form of pension and are left to fend for themselves. As of April 2020, only 192,874 seniors are receiving social pension from the government³.

The current legislation for senior citizens is blind to the complexities of a pandemic or a public health crisis to fully support the needs of the senior citizens, thus the need for this proposal.

¹ Article 2, Section 11.

² <https://www.philstar.com/headlines/2017/11/18/1760349/popcom-worried-over-rising-population-elderly>

³ <https://mb.com.ph/2020/07/14/dswd-over-192000-indigent-senior-citizens-receive-6-months-worth-of-pension/>

The main features of the proposed Senior Citizens Health Protection Act are as follows:

- Guaranteed social pension of Php 500.00 per senior citizen, who are not receiving any form of pension from the government, private institution, and the like;
- An annual gift of Php 1,000.00 on their birthday after they have turned 60 years old;
- Institutionalizing the inclusion of health supplements in the twenty percent (20%) senior citizen discount;
- Free vaccination against influenza virus and pneumococcal disease for all senior citizens, regardless of status in life; and,
- Free access and priority in government testing facilities.

As we enter the better normal, our laws to protect our senior citizens should be able to adapt to their needs and ensure that they are well taken cared off, has strong immune system, and given priority in combatting the public health crisis.

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


JANETTE LORETO-GARIN, MD, MBA-H

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1 **SECTION 1. Short Title.** – This Act shall be known as the "*Senior Citizen*
2 *Health Protection Act*".

3 **Sec. 2.** Section 3 of Republic Act No. 9994, otherwise known as the
4 "Expanded Senior Citizens Act of 2010", is hereby further amended to read as
5 follows:

6 "Sec. 2. *Definition of Terms.* - For purposes of this Act, these terms
7 are defined as follows:

8 XXX

9 ~~["(h) Indigent senior citizen refers to any elderly who is frail, sickly,~~
10 ~~or with disability, and without pension or permanent source of~~
11 ~~income, compensation or financial assistance from his/her relatives~~
12 ~~to support his/her basic needs, as determined by the Department of~~
13 ~~Social Welfare and development (DSWD) in consultation with the~~
14 ~~National Coordinating and Monitoring Board."]~~

15 **Sec. 3.** Section 4 of Republic Act No. 7432, as amended by Republic Act No.
16 9257, further amended by Republic Act No. 9994, otherwise known as the
17 "Expanded Senior Citizens Act of 2010", is hereby further amended to read as
18 follows:

19 The senior citizens shall be entitled to the following:

"(a) the grant of twenty percent (20%) discount and exemption from the value -added tax (VAT), if applicable, on the sale of the following goods and services from all establishments, for the exclusive use and enjoyment or availment of the senior citizen

"(1) on the purchase of medicines, including the purchase of influenza and pneumococcal vaccines, and such other essential medical supplies, **HEALTH SUPPLEMENTS**, accessories and equipment to be determined by the Department of Health (DOH).

"The DOH shall establish guidelines and mechanism of compulsory rebates in the sharing of burden of discounts among retailers, manufacturers and distributors, taking into consideration their respective margins;

XXX

"(f) the DOH shall administer free vaccination against the influenza virus and pneumococcal disease for ~~[indigent]~~ senior citizen patients;

XXX

(M) IN TIME OF A PUBLIC HEALTH CRISIS OR A PANDEMIC, SENIOR CITIZENS SHALL BE GIVEN FREE ACCESS AND PRIORITY TO GOVERNMENT TESTING FACILITIES TO ADDRESS THEIR HEALTH VULNERABILITIES.

Sec. 4. Section 5 of Republic Act No. 9994, otherwise known as the "Expanded Senior Citizens Act of 2010", is hereby further amended to read as follows:

"SEC. 5. Government Assistance. – The government shall provide the following:

"(a) Employment

XXX

"(h) Additional Government Assistance

"(1) Social Pension

"[Indigent-s] Senior citizens, WHO ARE NOT RECEIVING ANY FORM OF PENSION FROM THE GOVERNMENT SERVICE INSURANCE SYSTEM (GSIS), SOCIAL SECURITY SYSTEM (SSS), AND SIMILAR ENTITIES, shall be entitled to a monthly stipend amounting to [Five hundred pesos (Php500.00)] ONE

1 **THOUSAND PESOS (PHP 1,000.00)** to augment the daily
2 subsistence and other medical needs of senior citizens[.,].

3 **IN ADDITION, ALL SENIOR CITIZENS SHALL BE GRANTED**
4 **AN ANNUAL GIFT ON THEIR BIRTHDAY IN THE AMOUNT OF**
5 **ONE THOUSAND PESOS (PHP 1,000.00).**

6 **THE OFFICE OF SENIOR CITIZENS' AFFAIRS (OSCA) SHALL**
7 **BE RESPONSIBLE IN DISBURSING THE SOCIAL PENSION TO**
8 **SENIOR CITIZENS. PROVIDED, THAT THE AMOUNT SHALL**
9 **BE** ~~[subject to a review]~~ **ADJUSTED** every two (2) years **TO ITS**
10 **PRESENT VALUE USING THE CONSUMER PRICE INDEX, AS**
11 **PUBLISHED BY THE PHILIPPINE STATISTICS AUTHORITY**
12 **(PSA), by** ~~[Congress, in consultation with]~~ the ~~[DSWD.]~~ **NATIONAL**
13 **COMMISSION OF SENIOR CITIZENS."**

14 **Sec. 5. Appropriations.** – The amount necessary for the implementation of
15 this Act shall be included in the annual General Appropriations Act under the
16 National Commission of Senior Citizens, under the Office of the President.

17 **Sec. 6. Implementing Rules and Regulations.** - Within sixty (60) days
18 from the effectivity of this Act, the National Commission of Senior Citizens, in
19 coordination with other concerned government agencies and interest groups,
20 shall formulate and adopt amendments to the existing rules and regulations
21 of the Expanded Senior Citizens to carry out the objectives of this Act.

22 **Sec. 7. Repealing Clause.** – All law, executive orders, rules and regulations
23 or any part hereof inconsistent herewith are deemed repealed or modified
24 accordingly.

25 **Sec. 8. Separability Clause.** – If any part or provision of this Act shall be
26 declared unconstitutional and invalid, such declaration shall not invalidate
27 other parts thereof, which shall remain in full force and effect.

28 **Sec. 9. Effectivity.** – This Act shall take effect fifteen (15) days after its
29 publication in the Official Gazette or in two (2) newspapers of general
30 circulation.

31 Approved,