

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress
Second Regular Session



HOUSE BILL NO. **8138**

Introduced by Honorable Mark O. Go

EXPLANATORY NOTE

On October 21, 2002, RA No. 9173, or the Philippine Nursing Act, was enacted which provides under Section 32, that “the minimum base pay of nurses working in public health institutions shall not be lower than salary grade 15 prescribed under Republic Act No. 6758”. The said provision has been the subject of a long-time legal battle, and it was only last October 8, 2019, that the Supreme Court declared the said provision valid, and that the subsequent Joint Resolution No. 4, dated July 28, 2009 and Executive Order No. 811, dated June 17, 2009, insofar as they purport to amend or repeal R.A. No. 9173 are void and unconstitutional.

In line with the Court’s ruling, DBM issued Budget Circular 2020-4, which upgraded the entry level of nurse positions to Salary Grade 15. As a result of the upgrading, the entry level nurse position now outranks other medical and health services positions in the government, which require the same, or even higher, qualification standards.

Section 9 of R.A. 6758, or the Compensation and Position Classification Act of 1989, provides that the Salary Grade assignments for the government positions shall consider the following factors: (1) the education and experience required to perform the duties and responsibilities of the positions; (2) the nature and complexity of the work to be performed; (3) the kind of supervision received; (4) mental and/or physical strain required in the completion of the work; (5) nature and extent of internal and external relationships; (6) kind of supervision exercised; (7) decision-making responsibility; (8) responsibility for accuracy of records and reports; (9) accountability for funds, properties and equipment; and (10) hardship, hazard and personal risk involved in the job. In addition, RA No. 6758 provides under Section 3(d) that a review of government compensation rates, taking into account possible erosion in purchasing power due to inflation and other factors, shall be conducted periodically.

The implementation of the upgraded salary of nurses is a welcome development, albeit long overdue. However, the same created a wide compensation disparity between nurses and other medical and health professionals serving in the public sector. The ongoing pandemic shed light upon the importance, struggles, and dedication of medical and healthcare professionals. Not

only in response to the pandemic, but moving forward, it is essential in maintaining a healthy Filipino public that we dignify medical and health care professionals with compensation that is reflective of the qualifications they worked for, the mental and physical strain demanded in ensuring the health and wellness of our people, and the multitude of risks that goes along with it.

About 17,000 to 22,000 health professionals leave the Philippines annually to work abroad. This is mainly due to better employment opportunities and higher income abroad. A recent study on the salary of frontliners revealed that nurses and medical technologists in the Philippines are paid the lowest among six ASEAN member countries.

Public health is ensured when multiple disciplines come together in practicing their distinct professional expertise. This bill seeks to adjust the salary grade of other medical and health professions, in accordance with their respective qualification standards, and in response to the wage distortion created by the salary upgrade of nurses. With this salary upgrade, we hope to boost the morale of our existing medical and health service personnel complement, and encourage competent medical and health professionals to remain in the country and join the civil service.

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



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**AN ACT UPGRADING THE MINIMUM SALARY OF MEDICAL AND HEALTH
SERVICE PROFESSIONALS**

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

SECTION. 1. *Declaration of Policy.* – It is the policy of the State to undertake appropriate health manpower development and research, responsive to the country's health needs and programs. To this end, this Act seeks to promote the social and economic well-being of public health workers, and encourage competent medical professionals to join and remain in government service.

SEC. 2. *Upgrading of Minimum Salary Grade Level.* – The salary grade of entry-level positions in the medical and health service shall be upgraded as follows:

POSITION	CURRENT SG LEVEL	UPGRADED SG LEVEL
Dentist	14	17
Veterinarian	13	16
Optometrist	12	16
Medical Technologist	11	15
Nutritionist-Dietician	11	15
Occupational Therapist	11	15
Pharmacist	11	15

Physical Therapist	11	15
Psychologist	11	15
Radiologic Technologist	11	15
Respiratory Therapist	10	14
Midwife	9	11
Medical Laboratory Technician	6	8

To maintain internal equity, the Salary Grade of higher positions shall be adjusted accordingly.

SEC. 3. Coverage. – This Act shall cover medical and health service positions in all government hospitals and entities, whether funded by the National Government or the Local Government Units.

Medical and health service positions in agencies and other government entities exempted from R.A. no. 6758, as provided in their respective enabling law or charter, and are actually implementing their respective Compensation and Position Classification System, shall not be covered under this Act.

SEC. 4. Implementing Rules and Regulations. – The Department of Health and Department of Budget and Management shall promulgate and issue the Implementing Rules and Regulations (IRR) necessary to implement this Act within sixty (60) days after its approval.

SEC. 5. Appropriations. – The Amount necessary to carry out the provisions of this Act shall be included in the budgets of the implementing departments/agencies in the annual General Appropriations Act.

SEC. 6. Separability Clause. – Should any provision of this Act be declared unconstitutional, the remainder thereof not otherwise affected shall remain in full force and effect.

SEC. 7. Repealing Clause. – All laws, presidential decrees, executive orders, proclamations or administrative regulations that are inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 8. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,