

HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

House Bill No. 9926



INTRODUCED BY REPRESENTATIVE SHARON S. GARIN

EXPLANATORY NOTE

Article XV Section 4 of the 1987 Philippine Constitution provides that the family has the duty to care for its elderly members but the State may also do so through just programs of social security. It was also provided 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 the people at an affordable cost; that there shall be priority for the needs of the underprivileged, sick, elderly, disabled, women, and children; and that the State shall endeavor to provide free medical care to paupers.

Record shows that in 2007 there are about 6.5% of the total population are persons aged 60 years old and above. The Philippine Statistics Authority (PSA) has projected that it will grow by around 8.8% of the population and 5% of the elders are considered frail and weak. With the current population of more or less 110 million and an estimate of 10% composition of persons 60 years old and above with 5% frail and weak, a little less of 600,000 totally bedridden persons nationwide may be the reasonable data.

This bill seeks to grant financial assistance of 8,000 annually to all totally bedridden person. It also mandates to include the totally bedridden persons on all benefits granted under Republic Act No. 7277, as amended, otherwise known as the Magna Carta for Persons with Disabilities (PWDs). The implementation will be the coordination of the three main government agencies namely: DSWD, DOH and DILG.

The amount appropriated for the financial assistance will expectedly be added as a multiplier effect in the economy as the finances will be directly given to all Filipino citizens who needed the government's subsidy most.

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


SHARON S. GARIN

Party-list, AAMBIS-OWA

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AN ACT
GRANTING FINANCIAL ASSISTANCE TO TOTALLY BEDRIDDEN PERSONS IN THE
PHILIPPINES AND PROVIDING FOR FUNDS THEREFOR

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

SECTION 1. Short Title. - This Act shall be known as the “***Financial Assistance to Totally Bedridden Persons Act.***”

SEC. 2. Declaration of Policy. - It is hereby the declared policy of the State to ensure equal protection of rights and provide benefits to bedridden persons in the country.

SEC. 3. Definition of Terms. - For purposes of this Act the following terms shall define as follows:

- (A) *Disability* refers to a physical or mental impairment that substantially limits one or more psychological, physiological, or anatomical function of an individual or physical activities of such individual.
- (B) *Person with Disability (PWD)* refers to a person unable to perform an activity in the manner or within the range considered normal for a human being given his age and sex as a result of suffering from a mental, physical or sensory impairment.
- (C) *Bedridden Person* refers to a person with disability confined to the bed because of infirmity or illness and is unable to leave one’s bed, move, or even sit upright on his own.
- (D) *Totally Bedridden Person* refers to a bedridden person who is dependent on a caretaker to perform basic functions such as eating, bathing, grooming, and dental care.
- (E) *Caretaker* refers to the person responsible for the care and management of the totally bedridden person.
- (F) *Indigent Person* refers to a person identified by the City/Municipal Social Welfare and Development Office based on their references.
- (G) *Financial Assistance* refers to a monetary assistance to a totally bedridden person.

SEC. 4. Health Rights. - The bedridden person has the right to health, which includes the following:

- (1) Safe drinking water and adequate sanitation;
- (2) Safe, healthy and nutritious food;
- (3) Adequate and safe housing; and
- (4) Right to proper medical examination, care and hospitalization.

SEC.5. Qualifications for the Financial Assistance. - To qualify for financial assistance under this Act, the totally bedridden person must be:

- (1) A *bona fide* resident of the Philippines;
- (2) A Person with Disability (PWD) with a valid PWD ID card;
- (3) A totally bedridden person for at least one (1) year as certified by a government doctor; and
- (4) Belonging to an indigent family as certified by the Department of Social Welfare and Development (DSWD) or its local counterpart.

SEC.6. Documentary Requirements. - There shall be preliminary documents and succeeding documents required in the availment and/or sustenance of the financial assistance.

The preliminary documentary requirement to claim for the benefits of the financial assistance shall be as follows:

- (1) Medical Certificate from a government doctor;
- (2) Certificate of Indigency and Case Study Report;
- (3) Certificate of Residency;
- (4) Proof of life;
- (5) Photocopy of Valid ID of the totally bedridden person and claimant of financial assistance. Claimant should be a family member of the totally bedridden person within the fourth civil degree of consanguinity or affinity. In the absence thereof, an authorization letter from the totally bedridden person stating that he or she is authorizing the claimant to process the claim of his or her financial assistance.
- (6) A whole body photograph of the totally bedridden person taken within the last (3) months.

For the purpose of claiming the succeeding financial assistance, the following subsequent document shall be submitted by the totally bedridden person or its authorized representatives:

- (1) Proof of life;
- (2) Certification that the claimant undergoes regular health monitoring;
- (3) Monitoring report as to the medical condition or status of the totally bedridden person.

SEC. 7. Financial Assistance. - A qualified bedridden person shall be entitled to receive the amount of not more than Two Thousand Pesos (Php 2,000.00) quarterly, depending on the assessment of the DSWD.

SEC. 8. Additional Benefits. - A bedridden person shall be free of charge in the laboratory fees, medical examinations, and admissions in all public hospitals and shall receive all kinds of benefits provided in Republic Act No. 7277, otherwise known as "Magna Carta for Disabled Persons" as amended by Republic Act No. 9442 otherwise known as "An Act Amending Republic Act No. 7277, Otherwise Known As The "Magna Carta For Disabled Persons, And For Other Purposes" and further amended by Republic Act No. 10070, "An Act Establishing an Institutional Mechanism to Ensure the Implementation of Programs and Services For Persons With Disabilities in Every Province, City and Municipality, Amending Republic Act No. 7277, otherwise known as the "Magna Carta For Disabled Persons", As Amended, And For Other Purposes".

SEC. 8. Roles of Department of Interior and Local Government (DILG), the Department of Health (DOH) and DSWD. - The DILG, DOH and DSWD shall jointly:

1. Determine and update the number of totally bedridden persons in all provinces, cities and municipalities; and
2. Disseminate the information as to the grants and benefits provided for in this Act;

The DOH shall:

- (1) Monitor the medical condition/status of the totally bedridden person and submit his or her quarterly report to the DSWD.
- (2) Issue medical certificate based on the actual medical condition/status of the totally bedridden person and on the quarterly monitoring report.

The DSWD shall:

- (1) Prepare the case study report on the totally bedridden person and assess the documentary requirements submitted.
- (2) Receive the quarterly report from the DOH of the medical condition/status of the totally bedridden person/s from their respective barangays.
- (3) Assess the monitoring report for the succeeding quarterly claims for financial assistance.
- (4) Assist the claimant/family of the totally bedridden person in processing the Persons with Disability Identification Card (PWD ID) of the totally bedridden person.
- (5) Approve the release of the financial assistance to those qualified bedridden persons, subject to compliance with the accounting and auditing rules and regulations.

SEC. 9. *Implementing Rules and Regulations.* - The DSWD, DILG and DOH shall, within ninety (90) days from the effectivity of this Act, promulgate rules and regulations for the effective implementation of this Act.

SEC. 10. *Appropriation.* - The sum of Five billion pesos (P5,000,000,000.00) is hereby appropriated for the initial implementation of this Act. Subsequent funds shall be included in the Annual General Appropriations Act.

SEC. 11. *Separability Clause.* - If any part or provision of this Act is held invalid, all the other provisions not affected thereby, shall continue to be in full force and effect.

SEC. 12. *Repealing Clause.* - All laws, decrees, orders, resolutions, instructions and rules and regulations or parts thereof which are inconsistent with this Act are hereby deemed repealed or modified accordingly.

SEC. 13. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least one (1) newspaper of general circulation.