

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress
Third Regular Session

House Bill No. **10151**



INTRODUCED BY
REPRESENTATIVE ROMEO M. JALOSJOS, JR.

EXPLANATORY NOTE

The City of Dapitan in the Province of Zamboanga del Norte prides in its direct historical relation with our national hero, Dr. Jose Rizal. While his years in Dapitan were marred with the pain of exile, they were nonetheless productive in that he had an immense impact and contribution to the life of the city. His personal endeavors, especially in ophthalmology, inspired many a Dapitanon to pursue the same tracks he treaded. In retrospect, his exile in Dapitan was providential as it invigorated the life and pursuits of the city. This measure seeking for the establishment of the first state-of-the-art public eye care center in the country, therefore, is a long overdue homage to Dr. Jose Rizal; and naming an eye care center after him is Dapitan's humble adulation to an ophthalmologist *par excellence*.

Luke 11:34 says, "The eye is the lamp of your body, when your eye is clear, your whole body is full of light, but when it is bad, your body also is full of darkness." Indeed, the eye is among the most vital parts of the body that needs constant care. It is of equal importance to the other vital parts of the body that has been provided with specialty hospitals, to wit: the Lung Center of the Philippines, the Philippine Heart Center, and the National Kidney and Transplant Institute.

It is the policy of the State to secure the well-being of the people by providing them with specialized health services in consonance with constitutional mandate under Article XIII, Section 11 of the 1987 Constitution which provides, "The State shall adopt an integral and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all people at affordable cost. There shall be priority for the needs of the underprivileged sick, elderly, disabled, women and children." It is unfortunate, however, that up to this very day, our country still has no institution specializing in eye care and treatment of patients with visual impairment, especially to those underprivileged and less in life.

The establishment of the Dr. Jose Rizal Eye Center is envisioned to provide comprehensive and premium eye care services in our country. It shall also augment eye research and training

efforts that will enhance diagnosis, prevention, and treatment of eye impairments and allied diseases in the region and the country.

Studies reveal that a large segment of our population consists of indigent and underprivileged citizens who cannot afford quality eye care services. The prevalence of various eye diseases and disorders, if not given adequate treatment, will cause disability from visual impairment. This will only worsen their economic conditions as their visual disability will adversely affect their productivity, consequently leaving them in poverty and social dependency.

The eye is the lamp of the body; and like a well oiled lamp, a sound sight ensures that we function to the best of our abilities. Visual impairment also hinders individuals from their full potential and directly affecting their quality of life. For this reason, it is imperative of the government to provide an eye care institution to curb the prevalence of visual impairment in the country.

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

A handwritten signature in black ink, appearing to read 'R. Jalosjos', with a stylized flourish extending to the right.

ROMEO M. JALOSJOS, JR.

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1 **AN ACT**
2 **ESTABLISHING STATE-OF-THE-ART DR. JOSE RIZAL EYE CENTER**
3 **INTEGRATING ITS MEDICAL SERVICES WITHIN DR. JOSE RIZAL MEMORIAL**
4 **HOSPITAL IN DAPITAN CITY, ZAMBOANGA DEL NORTE, AND**
5 **APPROPRIATING FUNDS THEREFOR**

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

8
9 **SECTION 1. *Short Title.*** – This Act shall be known as the “DR. JOSE RIZAL EYE
10 CENTER ACT.”

11 **SEC. 2. *Declaration of Policy.*** - It is the policy of the State to promote and protect the
12 right of the people to health by providing specialized health and medical services that will
13 secure their well-being. Toward this end, the State shall established a medical institution that
14 shall provide comprehensive, high quality, affordable and pro poor specialized medical
15 services for the prevention control and treatment of eye and allied diseases.

16 **SEC. 3. *Creation of the Dr. Jose Rizal Eye Center.*** - There is hereby created a body
17 corporate to be known as the Dr. Jose Rizal Eye Center integrating its medical services within
18 the DR. JOSE RIZAL MEMORIAL HOSPITAL in Dapitan City, Zamboanga del Norte, but
19 with distinct and separate medical services specialized in eye treatment.

20 **SEC. 4. *Purposes and Objectives.*** - The Dr. Jose Rizal Eye Center shall serve the
21 following purposes and objectives:

22 (a) To construct, establish, equip, maintain, administer and operate an eye medical care
23 which shall specialize in the prevention, diagnosis, treatment, rehabilitation of eye and allied
24 diseases;

25 (b) To undertake, promote, encourage, engage and assist in the medical and scientific
26 research relative to the prevention, diagnosis and treatment of eye and allied diseases;

27 (c) To enhance awareness, fact-finding investigations and publish, report and

1 disseminate information on eye and allied diseases for purposes of diagnosis, treatment,
2 protection, and prevention thereof, and to participate by financing, sponsoring, holding of
3 conventions, conferences, workshop, seminars and other training programs in eye diseases
4 and/or related thereto locally and abroad;

5 (d) To engage in research, education and training of physicians and medical staff in the
6 study on eye and allied diseases for a practical and scientific conduct of medical services to
7 eye patients; and

8 (e) To extend medical services to the general public, especially the poor and the
9 underprivilege that cannot afford for an eye impediment medical treatment.

10 **SEC 5. Powers and Functions.** - In furtherance of its purposes and objectives, the Dr.
11 Jose Rizal Eye Center, as a corporate in nature operating through its Board of Trustees, shall
12 have the powers pertaining to a juridical person, and is therefore authorized to perform its
13 duties and functions among others,

14 (a) To acquire and hold any property of whatever nature or description, and to dispose
15 of such property under any mode of conveyance or encumbrance;

16 (b) To Contract and be contracted with;

17 (c) To mortgage, lease, sell, transfer, convey or otherwise dispose of its properties;

18 (d) To solicit and receive donations, endowments and funds in the form of
19 contributions; whether in cash or in kind, from both public and private sectors derived from
20 domestic or foreign source;

21 (e) To open such accounts in banks and other financial institutions, and to disburse such
22 funds or invest the same as the Board may direct to advance or accomplish the purposes or
23 interest of the Dr. Jose Rizal Eye Center;

24 (f) To invite foreign eye specialists and similar experts to train medical staff of the Dr.
25 Jose Rizal Eye Center;

26 (g) To send physicians and other medical staff of the Dr. Jose Rizal Eye Center to any
27 domestic and foreign research and medical institutes/universities for an advance
28 training/observations as the Board may deem necessary to determine its importance;

29 (h) To invest in, and purchase or otherwise acquire, own, hold, use, lease, grant,
30 mortgage, pledge, sell, assign, convey, transfer, exchange or otherwise deal with, real and/or
31 personal properties of every kind and nature , including shares of stock, bonds, debentures,
32 notes, securities and other evidences of indebtedness or obligations of other corporations
33 whether domestic or foreign, and whether government or private;

34 (i) To obtain loans, borrow funds and/or arrange financing or credit assistance of
35 whatever kind and nature from all sources, whether domestic or foreign and whether
36 government or private, and to mortgage, pledge or otherwise encumber any of its properties
37 and assets for the purpose of securing or guaranteeing the performance or fulfillment of any
38 obligation it may undertake for itself or other entities in which it may be interested;

39 (j) To levy, assess and collect fees, charges and assessments and other fees incurred in

1 medical services as may be necessary and proper to support, finance and maintain its
2 operations, but strictly not to deprived poor patients to avail of an eye medical treatment; and

3 (k) To exercise such other powers and functions as may be necessary or be incidental
4 for the accomplishment of the purposes and objectives of the Dr. Jose Rizal Eye Center.

5 **SEC. 6. Board of Trustees.** The Dr. Jose Rizal Eye Center and its functions, activities
6 and properties shall be governed, directed, controlled and administered by a Board of Trustees,
7 hereinafter referred to as the Board, which shall be composed of seven (7) members to
8 appointed by the President of the Philippines upon the recommendation of the Secretary,
9 Department of Health

10 The incumbent Chief of Hospital of the Dr. Jose Rizal Memorial Hospital in Dapitan
11 City shall automatically be considered as one of the seven (7) members of the Board to be
12 appointed by the President of the Philippines. Five (5) of the seven (7) members of the Board
13 shall be an ophthalmologist in profession.

14 The members of the Board shall receive no salary. They shall, however, receive a per
15 diem of not exceeding five (5) thousand pesos for every meeting of the Board in actual
16 attendance. Provided, that the total amount of per diem for all the meetings of the Board in a
17 single month shall not exceed fifty (50) thousand pesos.

18 The members of the Board shall serve for a one term period of four (4) years until
19 their successors shall have been appointed and qualified. Any vacancy in the Board shall be
20 filled by the appointment of the President of the Philippines upon recommendation of the
21 Secretary, Department of Health, and the appointment shall serve the unexpired term.

22 **SEC. 7. Powers and Functions of the Board.** - The Board shall have the following
23 powers and functions:

24 (a) To elect a Chairman from among them, who shall be the presiding officer of the Board;

25 (b) To appoint an Executive Officer (EO) of the Dr. Jose Rizal Eye Center who shall serve
26 as the Vice Chairman of the Board;

27 (c) To formulate programs and policies and adopt measures which are necessary to achieve
28 its goal pertinent to the purpose and objective of this Act; and

29 (d) A majority consisting of five (5) members of the present shall constitute a quorum to
30 transact business. Any decision of the majority of such five (5) members present on any matter
31 duly presented to the Board shall constitute a valid and binding act of the Dr. Jose Rizal Eye
32 Center.

33 **SEC. 8. The Executive Officer.** - The Dr. Jose Rizal Eye Center shall have an Executive
34 Officer, and be known as the Chief Executive Officer with the following powers and functions
35 herein:

36 (a) To appoint, remove and fix the compensation of the personnel of the Dr. Jose Rizal Eye
37 Center, subject to the approval of the Board;

38 (b) To prepare agenda for the meeting of the Board and submit for the consideration of the
39 Board policies, guidelines, and other important measures may deemed necessary for the

1 effective implementation of the purpose and objective of the Act;

2 (c) To execute the policies, guidelines and programs approved by the Board and be
3 responsible for the efficient discharge of management and operational functions;

4 (d) To direct and supervise the internal operations and administration of the Dr. Jose Rizal
5 Eye Center;

6 (e) To execute, on behalf of the Board, all contracts and agreements which the latter may
7 enter into, and to execute, accomplish, and deliver any and all documents relative to such
8 contracts and agreements, and

9 (f) To exercise such other powers and performs such duties as may be vested by the Board.

10 **SEC. 9. *Organizational Structure and Staffing Composition.*** - The Board shall
11 determine the organizational structure and staffing composition of the Dr. Jose Rizal Eye
12 Center, subject to evaluation and approval by the Civil Service Commission (CSC) and of the
13 Organization Position Classification and Compensation Bureau of the Department of Budget
14 and Management (DBM). The Board may reorganize said structure, modify the staffing pattern
15 and create or abolish division, sections or units that existence may no longer needed of the Dr.
16 Jose Rizal Eye Center.

17 **SEC. 10. *Property of the Dr. Jose Rizal Eye Center.*** - The property of the Dr. Jose
18 Rizal Eye Center shall consist of such real, personal, mixed, and other type of property, now
19 owned or reserved for, or may hereafter be given, donated, acquired, transferred or conveyed to
20 the Dr. Jose Rizal Eye Center by the Philippine Government upon its approval of this Act, its
21 branches and instrumentalities, other local government units, any foreign government, as well
22 as by trusts, foundations, corporations, or persons, alien or domestic, in order to carry out its
23 purposes and objectives as set forth herein. Properties acquired by the Dr. Jose Rizal Eye
24 Center are distinct and separate from the existing properties of the Dr. Jose Rizal Memorial
25 Hospital where the Dr. Jose Rizal Eye Center integrated its medical services within the Dr.
26 Jose Rizal Memorial Hospital.

27 **SEC. 11. *Government Contribution.*** - The Government shall constitute the necessary
28 land, building, equipment and facilities to the Dr. Jose Rizal Eye Center, and shall pay such
29 obligations for real, personal and mixed properties arising from such undertaking under a
30 deferred payment arrangement within five (5) years, at a preferred rate of interest.

31 **SEC. 12. *Assistance From Government Offices.*** - The Dr. Jose Rizal Eye Center may
32 call upon any department, bureau, office, agency or instrumentality of the Government,
33 including government owned or controlled corporations, for such assistance as it may need in
34 the pursuit of its purposes and objectives. All individuals, entities are hereby enjoined to render
35 full assistance and cooperation to the Dr. Jose Rizal Eye Center in the accomplishment of its
36 activities.

37 **SEC. 13. *Tax Exemptions and Privileges.*** - Any provision of law to the contrary
38 notwithstanding, all donations, contributions or endowments that may be made by entities or
39 persons to the Dr. Jose Rizal Eye Center shall be exempt from income and donor's taxes, and

1 shall constitute allowable deductions in full from the income of the donors or grantors for
2 income tax purposes.

3 The Dr. Jose Rizal Eye Center, its assets, acquisition, income, importations,
4 operations, and transactions shall be exempt from any and all taxes, duties, fees, assessments,
5 imports, and other charges imposed directly or indirectly by the government, or any political
6 subdivision or instrumentality thereof.

7 **SEC. 14. Supervision by the Department of Health.** - The Dr. Jose Rizal Eye Center
8 shall be under the supervision of the Department of Health.

9 **SEC. 15. Appropriations.** –

10 **SEC. 15a.** - The sum of One Billion Two Hundred Eighty Million Pesos (Php
11 1,280,000,000.00) is hereby appropriated out of any funds in the National Government not
12 otherwise appropriated for the Construction of a Fourteen Storey (14) state-of the-art Dr. Jose
13 Rizal Eye Center Building which allocation includes site development.

14 **SEC. 15b.** - The sum of Three Hundred Million Pesos (Php 300,000,000.00) is hereby
15 appropriated out of any funds in the National Government not otherwise appropriated for the
16 provision of modern equipment and aparatos to installed at Dr. Jose Rizal Eye Center.

17 **SEC. 15c.** - The sum of Four Hundred Million Pesos (Php 400,000,000.00) shall be
18 appropriated to be used as initial operation and maintenance of the Dr. Jose Rizal Eye Center.
19 Thereafter, such sum as may be necessary for the continued operations of the Dr. Jose Rizal
20 Eye Center shall be included in the Annual General Appropriations Act.

21 **SEC. 16. Annual Reporting.** - The Dr. Jose Rizal Eye Center shall submit an annual
22 report to the President of the Philippines, Senate Committee on Health and Demography, and
23 the House of Representatives Committee on Health on its activites, accomplishments and
24 recommendations to improve the delivery of specialized medical services.

25 **SEC. 17. Effect of Dissolution.** - If for any reason, the Dr. Jose Rizal Eye Center is
26 dissolved, its properties and assets in accordance with law shall be transferred to the Dr. Jose
27 Rizal Memorial Hospital.

28 **SEC. 18. Applicability of the Corporation Code.** - The provisions of the Corporations
29 Code, insofar as these are not inconsistent with the provisions and policies provided in this Act,
30 shall be suppletorily applicable.

31 **SEC. 19. Implementing Rules and Regulations.** - Within ninety (90) days after the
32 effectivity of this Act, the Secretary of the Department of Health (DOH) and Secretary of the
33 Department of Budget and Management (DBM) shall promulgate the necessary rules and
34 regulations for the proper implementation of this Act.

35 **SEC. 20. Separability Clause.** - If any provision or section of this Act is held invalid
36 or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions
37 or sections of this Act.

38 **SEC. 21. Repealing Clause.** - All laws, decrees, orders, rules and regulations or parts
39 thereof inconsistent with any provisions of this Act are hereby repealed, amended or modified

1 accordingly.

2 **SEC. 22. *Effectivity Clause.*** - This Act shall take effect thirty (30) days after its
3 publication in the Official Gazette or in two (2) national newspapers of general circulations.

4 *Approved,*