



Eighteenth Congress
Third Regular Session

HOUSE BILL NO. **10621**



Introduced by
REPRESENTATIVE LOREN B. LEGARDA

AN ACT
INSTITUTIONALIZING THE GRANT OF SPECIAL RISK ALLOWANCE TO ALL
HEALTH WORKERS DURING A STATE OF PUBLIC HEALTH EMERGENCY

EXPLANATORY NOTE

The health crisis caused by the COVID-19 virus has placed tremendous pressure on our healthcare system to sustain its operations due to the increasing demand for care of both COVID and non-COVID patients. The overwhelming effect of the pandemic has taken a toll on the overall well-being of our front liners, our health workers. It is undeniable that the salaries and benefits being afforded to them are not sufficient to compensate for the hard work and sacrifices that they do.

Our health workers are essential in our fight not only against the COVID-19 pandemic but against all other health risks our people face. The proposed measure seeks then to institutionalize the grant of a Special Risk Allowance to all health workers, in public and private institutions, in times of public health emergencies to ensure that adequate benefits will be given now and to future health challenges.

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

LOREN LEGARDA



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

SECTION 1. Short Title. – This Act shall be known as the “*Special Risk Allowance for all Health Workers Act of 2021.*”

SECTION 2. Declaration of Policy. – It is the policy of the State to protect and promote the right to health. It is then paramount that adequate support and assistance shall be given to healthcare workers to ensure the effectivity and efficiency of the country’s healthcare system. Pursuant thereto, a Special Risk Allowance shall be given to all healthcare workers, in public and private institutions, during a state of a public health emergency.

SECTION 3. Coverage. -- The benefits under this Act shall apply to all health workers in public and private health care institutions. A health worker shall include: (i) civilian employees occupying regular, contractual or casual positions, on full-time or part-time basis; or (ii) workers engaged through contract-of-service or Job Orders, including Barangay Health Workers regardless of the nature of engagement; *Provided* that they are assigned to a health care institution. A health care institution shall include any hospital, convalescent hospital, health clinic, nursing home, extended care facility, or other institutions devoted to the care of the sick, infirmed, or an aged person.

SECTION 4. Grant of Special Risk Allowance. – The government shall ensure the grant of a monthly Special Risk Allowance (SRA) equivalent to a maximum of 25% of the monthly basic salary/pay to health workers in public and private health care institutions during a state of a public health emergency, as declared by the President;

Provided that the SRA shall be in addition to existing benefits that the health workers receive; *Provided*, further, that the SRA shall be exempt from income tax.

The Department of Health shall, subject to the approval of the Department of Budget and Management and in consultation with other stakeholders, review and adjust the amount of SRA; *Provided* that, in no case shall the SRA be lower than existing rates.

SECTION 5. *Implementing Agencies.* – The Department of Health (DOH) and the Department of Budget and Management (DBM) are hereby tasked to implement the provisions of the Act.

SECTION 6. *Appropriations.* — An amount of fourteen billion pesos (Php 14,000,000,000.00) is hereby authorized to be appropriated from the National Treasury for the initial implementation of this Act. Thereafter, such sums as may be necessary for the implementation of this Act shall be appropriated in the succeeding General Appropriations Act.

SECTION 7. *Implementing Rules and Regulations.* -- The DOH and the DBM shall promulgate all the necessary rules and regulations for its effective implementation not later than thirty (30) days upon the effectivity of this Act.

SECTION 8. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations, issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 9. *Separability Clause.* – If any part, section or provision of this Act shall be held invalid or unconstitutional, no other part, section or provision thereof shall be affected thereby.

SECTION 10. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication either in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,