

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL No. 205



Introduced by
ACT Teachers Party-List Rep. FRANCE L. CASTRO,
GABRIELA Women's Party Rep. ARLENE D. BROSAS,
and **KABATAAN Party-List Rep. RAOUL DANNIEL A. MANUEL**

AN ACT
PROVIDING FOR A MEDICAL EXAMINATION AND TREATMENT
ALLOWANCE FOR PUBLIC SCHOOL TEACHERS
AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

The COVID-19 pandemic has highlighted two of the most important, yet perpetually unfunded and unimplemented, provisions of Republic Act 4670 or *The Magna Carta For Public School Teachers*:

Section 22. *Medical Examination and Treatment.* Compulsory medical examination shall be provided free of charge for all teachers before they take up teaching, and shall be repeated not less than once a year during the teacher's professional life. Where medical examination show that medical treatment and/or hospitalization is necessary, the same shall be provided free by the government entity paying the salary of the teachers.

In regions where there is scarcity of medical facilities, teachers may obtain elsewhere the necessary medical care with the right to be reimbursed for their traveling expenses by the government entity concerned in the first paragraph of this Section.

Section 23. *Compensation for Injuries.* Teachers shall be protected against the consequences of employment injuries in accordance with existing laws. The effects of the physical and nervous strain on the teacher's health shall be recognized as a compensable occupational disease in accordance with existing laws.

Simply put, these provisions emphasize the right of public school teachers to be taken care of by their employer—the government—in both body and mind.

Much of this provision is implemented only in minimal levels. It is only in recent years that direct funding was incorporated into the *General Appropriations Acts*, with a ₱500 medical allowance found in Special Provisions in the DepEd budget beginning 2019. (Although a *Magna Carta* benefit/right, DepEd calls this “Financial Assistance to Public School Teachers for Payment of Medical Examination Expenses” in its issuances.) Initially, this was subjected to a “conditional veto” and included as part of PhilHealth and not actually given to teachers as cash benefit. Of course, PhilHealth provides for benefits from the contributions of the employee, while a benefit provided by GAA is appropriated, that is, *not* deducted from the employee’s salaries.

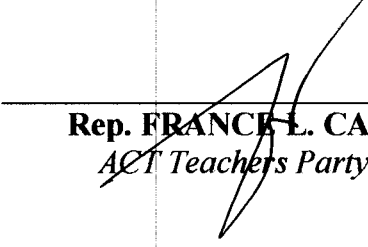
All too often, teachers have no choice but to spend out-of-pocket for tests not covered by the annual physical examination (usually urinalysis and chest x-ray only), or those which the meager ₱500 cannot cover. And of course, there is no benefit of whatever amount coming from government for the check-ups and tests during those times that they come down with illnesses.

The enactment of Republic Act 11036 or the *Mental Health Act* effectively strengthened the rights of public school teachers under Sections 22 and 23 of the *Magna Carta*, with the former’s mandate of mental health promotion in educational institutions via support and services, among others, and mandate on employers, the government in this case, to provide support for their employees with mental health conditions.

But the absence of a statute specifying the amount and coverage of an allowance for medical examination and treatment has become the excuse for forgetting the right of public school teachers to be taken care of. Thus, this proposal for a ₱10,000, which is an estimate of the amount sufficient to cover the mandated physical and mental examinations and tests under pertinent resolutions, orders, and other issuances of the Civil Service Commission, among others.

This bill works in tandem with the other proposals of the Makabayan Bloc relating to health in the education sector, such as the *Safe Reopening of Schools Act*, and to health services in general, such as the *Free National Public Health System Act*.

Immediate approval of this bill is therefore sought.



Rep. FRANCE L. CASTRO
ACT Teachers Party-List



Rep. ARIENE D. BROSAS
GABRIELA Women’s Party



Rep. RAOUL DANNIEL A. MANUEL
KABATAAN Party-List

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL No. 205

Introduced by
ACT Teachers Party-List Rep. FRANCE L. CASTRO,
GABRIELA Women's Party Rep. ARLENE D. BROSAS,
and **KABATAAN Party-List Rep. RAOUL DANNIEL A. MANUEL**

AN ACT
PROVIDING FOR A MEDICAL EXAMINATION AND TREATMENT
ALLOWANCE FOR PUBLIC SCHOOL TEACHERS
AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Title.* This Act shall be known and cited as “*The Medical Examination and Treatment Allowance for Public School Teachers Act of 2022.*”

SEC. 2. *Declaration of Policy.* It is hereby declared to be the policy of the State to promote and improve the economic status of teachers and assist them in providing quality education to their students. To this end, the State shall also promote the basic right of teachers to physical and mental health, which duty includes protecting them against the consequences of employment injuries, such as the effects of the physical and nervous strain on the teacher's health, among others.

SEC. 3. *Medical Examination and Treatment Allowance.* A Medical Examination and Treatment Allowance for the annual physical and mental examination, treatment, and hospitalization is hereby granted in the amount of Ten thousand pesos (₱10,000.00) per teacher per school year: *Provided,* That this allowance shall be exempt from income tax.

SEC. 4. *Coverage.* The grant of the allowance authorized in this Act shall be granted to teachers as defined by Republic Act 4670 or *The Magna Carta for Public School Teachers Act.*

SEC. 5. *Funding.* The amount necessary for the grant of Medical Examination and Treatment Allowance authorized under this Act shall be charged against the appropriations of the DepEd under the General Appropriations Act (GAA).

SEC. 6. *Periodic Review for Increases.* The Secretary of Education is hereby mandated to conduct a periodic review of the Teaching Supplies Allowance, taking into account the current prices of classroom supplies, and, if warranted, recommend the necessary increase in the amount of the allowance.

SEC. 7. *Repealing Clause.* All laws, decrees, resolutions, orders or ordinances, rules and regulations or parts thereof inconsistent with this Act, are hereby repealed, amended or modified accordingly.

SEC. 6. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,