

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1490



Introduced by the Honorable Danilo Ramon S. Fernandez

EXPLANATORY NOTE

Our medical personnel have been hailed as the frontliners in our fight against the Covid-19 pandemic. Later, as the contagion worsened instead of waning, they have been described as our last line of defense. Whichever label aptly describes them at the present time, the fact remains that they are our best hope of overcoming this national health emergency (next to a vaccine).

In the years prior to the emergence of Covid-19, our medical and those in allied professions have sought greener pastures abroad. So much so that when the pandemic struck, we were left with a grossly inadequate number of skilled medical staff to deal with the rapidly spreading contagion. It is for this reason, that this bill seeks to establish a Medical Reserve Corps, as a sort of "force multiplier" to our health personnel, whose ranks are further being thinned by the highly infectious coronavirus.

The proposed Medical Reserve Corps shall be composed of all persons who have degrees in the field of medicine, nursing, medical technology, and allied fields but have yet to have their respective licenses to practice for reasons such as but not limited to not having taken and/or passed the licensure examinations in their respective professions. We may have all the hospital institutions, quarantine facilities and isolation tents that we want but without the skilled personnel who would man these medical installations, our corresponding efforts would be unavailing.

In view of the foregoing reasons, the urgent passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to be "Danilo Ramon S. Fernandez", written over a horizontal line.

HON. DANILO RAMON S. FERNANDEZ
Representative
Lone District, Santa Rosa City

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AN ACT
INSTITUTING THE MEDICAL RESERVE CORPS,
APPROPRIATING FUNDS THEREFOR AND OTHER PURPOSES

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 “Medical Reserve Corps Act of 2022.”

Sec. 2. *Declaration of Policy.* – It shall be the policy of the State:

a. To institutionalize the vital role of medical and health-related personnel in nation-building, promote and protect their physical, moral, spiritual, intellectual and social well-being; to inculcate in them patriotism and nationalism, and to encourage their involvement in public and civic affairs, and

b. To train, equip and organize medical and health-related personnel, within the current frameworks of national and territorial defense, law enforcement and peace and order and national disaster risk reduction and management, to prepare them for rapid mobilization at the soonest possible time in order to address national and/or local contingencies which may require manpower beyond the capabilities of existing national government agencies or local government units.

Sec. 3. *Medical Reserve Corps.* – There is hereby established a Medical Reserve Corps which shall be composed of all persons who have degrees in the field of medicine, nursing, medical technology, and allied fields but have yet to have their respective licenses to practice for reasons such as but not limited to not having taken and/or passed the licensure examinations in their respective professions.

The Department of Health (DoH) shall provide for the structure and organization of the Corps, as well as the specific mechanisms for its efficient mobilization and deployment.

Sec. 4. *Medical Reserve Corps Mobilization.* – In times of national emergencies and other contingencies, the members of the Medical Reserve Corps may be called upon and mobilized to assist the national government, its agencies and instrumentalities, and the local governments in their functions related to addressing the medical needs of the public.

The mobilization shall be initiated by the Secretary of the Department of Health (DoH), in coordination with the Secretaries of the Department of National Defense (DND), the Department of Education (DepEd), and the Department of the Interior and Local Government (DILG), or their duly authorized representatives with the rank of at least Undersecretary.

From time to time as manpower and training resources may allow during the period of national emergencies and other contingencies, the Medical Reserve Corps may be called for retraining to maintain and enhance its level of competency and readiness for mobilization.

Sec. 5. *Annual Reports.* – The DoH shall regularly publish an annual report containing a list of the accomplishments of the Medical Reserve Corps, status of its operations, its number and demography, assessment of readiness for mobilization and the incidence and details of each mobilization for the year concerned. The annual report shall also include the results of the audit investigation on the spending of funds appropriated, collected or advanced for the implementation of the provisions of this Act.

Sec. 6. *Request for Deployment.* – The Medical Reserve Corps may be called upon and mobilized to assist the national government, its agencies and instrumentalities, and the local government units in their functions related to addressing the medical needs of the public through requests for deployment by the heads of such national government agencies or local government units submitted to the DoH. The requests shall contain a justification for the deployment of the Corps, or a specified number of members thereof, and shall contain information as may be required by the DoH, including the nature of the national or local contingencies to be addressed, the purpose of the requested deployment, the number of personnel requested to be deployed and the period of deployment.

Sec. 7. *Evaluation of the Request for Deployment.* – The DoH shall evaluate the requests for deployment. When the number of personnel requested does not exceed one hundred and fifty (150) and the period of deployment does not exceed sixty (60) days, the DoH shall decide whether to approve or disapprove the request within twenty-four (24) hours from receipt thereof. When the number of personnel requested exceeds one hundred and fifty (150) or the period of deployment exceeds sixty (60) days, the DoH shall make a recommendation to the Office of the President (OP) within twenty-four (24) hours from receipt of the request. The OP shall decide

whether to approve or disapprove the request within twenty-four (24) hours from receipt of the recommendation of the DoH.

In case of the approval of the request for deployment, the DoH shall issue an Order of Deployment requiring the Corps, or a number thereof, to assist the national government, its agencies and instrumentalities and the local government units in their functions related to addressing the health-related needs of the public.

Sec. 8. *Deployment in Case of a Declaration of a State of War, State of Lawless Violence or State of Calamity; Nationwide Mobilization.* – In case of a declaration of a state of war, state of lawless violence or state of calamity, the DoH may *motu proprio* recommend the mobilization of the Corps to the President of the Philippines. The President of the Philippines, by himself, shall also have the power to order the mobilization of the Corps to respond to national or local contingencies related to external and territorial defense, internal security and peace and order and/or disaster risk reduction management.

Sec. 9. *Mobilization Centers.* – There shall be established in each province and city as many mobilization centers as needed according to the number and geographical distribution of the Corps, where they will report in case of deployment.

In case of mobilization, the equipment of the Corps shall be supplied in close coordination with the DoH and other national agencies and offices, with the end in view of achieving rapid mobilization.

Sec. 10. *Expenses of Deployment.* – Upon deployment, the national government agency or the local government unit to which the Corps is deployed shall shoulder the operational expenses of deployment.

Sec. 11. *Operationalization of Deployment.* – The DoH shall promulgate the specific mechanisms by which deployment is efficiently implemented, including the organization of the Corps to be deployed, their territorial assignments, how deployment orders are communicated to each member of the Corps and to which mobilization center they will report.

Sec. 12. *Serial Numbers and Registry.* – Upon completion of their respective degrees, the graduates shall be issued individual serial numbers, which will serve as their identification in case of deployment.

The DoH shall maintain and update a registry/database containing the names of the members of the Corps, their serial numbers, address, contact details and such other information as the DoH may determine, in accordance with any applicable privacy laws. For this purpose, all public and private colleges universities and learning institutions are hereby mandated to annually transmit their records of the graduates covered under this Act to the DoH, in the form as may be determined by the department.

All graduates covered under this Act are required to update their addresses and contact details on file with the DoH as often as necessary. Orders of deployment sent to the addresses and/or through the contact details on file with the DoH shall be sufficient notice for purposes of deployment.

Sec. 13. *Termination of Deployment.* – Upon the expiration of the requested period of deployment, without an extension having been requested and approved by the DoH, the Corps shall be discharged of its duties. The deployment may also be terminated earlier upon a determination by the DoH, in consultation with the requesting national government agency or local government unit, that such deployment is no longer in accordance with the objectives and purposes of this Act.

Sec. 14. *Effect on Employment.* – Deployment of employees in accordance with the provisions of this Act shall not be a ground for dismissal or diminution of any benefit enjoyed by such graduates prior to their deployment. The members of the Corps shall be entitled to their regular wage or salary during the period of their deployment.

Sec. 15. *Medical Reserve Corps Fund.* – A Medical Reserve Corps Fund is hereby established exclusively for the implementation of the objectives and purposes of this Act. The Office of the President shall monitor and evaluate the activities and the balances of the Fund.

Sec. 16. *School Fees.* – Public colleges, universities and similar learning institutions covered by Republic Act No. 10931, otherwise known as the Universal Access to Quality Tertiary Education Act, shall not collect any fee from the members of the Medical Reserve Corps in addition to the normal fees and charges pertinent to their education and training in said colleges, universities and other similar institutions.

Sec. 17. *Appropriations.* – The Medical Reserve Corps Fund shall be included in the annual General Appropriations Act.

Sec. 18. *Penal Provisions.* –

Failure to respond to the order of deployment despite notice sent to the address and/or contact details on file with the DoH without any justifiable reason shall, upon conviction by a civil court, be punishable as follows:

First offense: One hundred and twenty (120) hours of community service;

Second offense: Two hundred and forty (240) hours of community service;
and

Third and subsequent offenses: Six (6) months imprisonment and four hundred and eighty (480) hours of community service.

Likewise, any employer or third person who, by threat, intimidation or any other means, prevent or otherwise frustrate, without justifiable cause, any qualified individual from responding to an order of deployment under this Act shall be punished as so provided in the preceding paragraph.

Sec. 19. *Implementing Rules and Regulations.* – Within thirty (30) days from the effectivity of this Act, the DoH shall issue the necessary rules and regulations for its effective implementation.

Sec. 20. *Repealing Clause.* – All laws, orders, rules and regulations and other issuances or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

Sec. 21. *Separability Clause.* – If any part or provision of this Act is held unconstitutional or invalid, other parts or provisions thereof which are not affected shall continue to remain in full force and effect.

Sec. 22. *Effectivity.* - This Act shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or in a newspaper of general circulation.

Approved,