

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL No. 1725



Introduced by HON. RUTH MARIANO-HERNANDEZ

AN ACT
AMENDING REPUBLIC ACT NO. 7305 OTHERWISE KNOWN AS THE MAGNA CARTA FOR
PUBLIC HEALTH WORKERS AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Health workers are essential to our public health care delivery system. This is a fact that has only been placed in the lens of national attention due to the ongoing COVID-19 pandemic.

Our health care system is underfunded, under-compensated, overworked, and at the brink of being overwhelmed.

Our nurses, doctors, medical technologists, and all other medical and allied health professionals; the orderlies, laundry and linen staff, janitors, waste workers and all ancillary and administrative personnel in our public health establishments are battling the current COVID-19 public health emergency and all other diseases such as dengue fever and re-emergent polio.

Our health workers at the frontline public hospitals and health establishments work with amongst the lowest compensation, scant benefits that are not given on time, and increasingly difficult working conditions.

It needs to be stressed that the COVID-19 pandemic has revealed the public sector's dearth in health workers due to the aforesaid conditions and the persistent lure of high-paying opportunities abroad.

It is important to note that the enactment of the Universal Health Care Act (Republic Act 11223) targets the coverage of all Filipinos in terms of access to quality and affordable health care services.

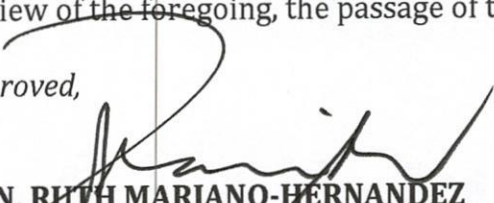
But in the short, medium and long term, we can only attain quality public health care if we are able to encourage, hire and retain health workers in our public health facilities with adequate compensation and the necessary benefits.

It is in this context that this bill seeks to amend Republic Act 7305, otherwise known as the Magna Carta for Public Health Workers Act, with the endpoint in view of (1) increasing the salary levels, and (2) adding more to the existing benefits therein.

Among the proposals in this measure is a set of additional compensation to public health workers: an across the board hazard pay, special risk allowance, increased subsistence allowance, special longevity pay, increased laundry and clothing allowance, compensation for injuries and rice subsidy allowance.

In view of the foregoing, the passage of this measure is urgently requested.

Approved,



HON. RUTH MARIANO-HERNANDEZ
2nd District, Laguna

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

SECTION 1. Title. – This Act shall be known as the “Health Workers Salary Upgrading Act of 2022”.

SECTION 2. Declaration of Policy. – It is the declared policy of the State to guarantee the entry and retention of qualified and competent health workers in the public health care system by ensuring the commensurate remuneration for their work loads and the hazards of their respective professions. This policy is in furtherance of the Constitutional mandate to promote the most adequate health care for the people by addressing the need for essential health workers and professionals in all public health care facilities. This Act intends to improve the socio-economic conditions of public health workers and bolster the public health sector in the government service.

SECTION 3. Section 3 of Republic Act 7305, otherwise known as the "Magna Carta for Public Health Workers" is hereby amended to read as follows:

“Section 3. [Definition] **COVERAGE.** - [For purposes of this Act, “health workers” shall mean all persons who are engaged in health and health-related work, and all persons-employed in all hospitals, sanitarium, health infirmaries, health centers, rural health units, barangay health stations, clinics-and other health-related establishments owned and operated by the Government or its political subdivisions with original charters and shall include medical, allied health professional, administrative and support personnel employed regardless of their employment status.”] **THIS ACT SHALL BE FOR THE BENEFIT OF ALL PUBLIC HEALTH WORKERS. FOR PURPOSES OF THIS ACT, “HEALTH WORKERS” SHALL REFER TO PERSONS WHO ARE ENGAGED IN HEALTH AND HEALTH-RELATED WORK IN A HEALTH FACILITY OR OTHER RELATED ESTABLISHMENT OWNED AND OPERATED BY THE GOVERNMENT OR ITS POLITICAL SUBDIVISIONS, INCLUDING MEDICAL AND ALLIED HEALTH**

PROFESSIONALS, ANCILLARY AND ADMINISTRATIVE PERSONNEL OF SUCH HEALTH FACILITY OR RELATED ESTABLISHMENT, REGARDLESS OF THEIR EMPLOYMENT STATUS."

SECTION 4. Section 19 of the same Act is hereby amended to read as follows:

"Section 19. *Salaries.* - [In the determination of the salary scale of public health workers, the provisions of Republic Act 6758 shall govern, except that the benchmark for Rural Health Physicians shall be upgraded to Salary Grade 24.] THE DEPARTMENT OF HEALTH, IN CONSULTATION WITH THE DEPARTMENT OF BUDGET AND MANAGEMENT, IS HEREBY MANDATED TO ESTABLISH A NEW SALARY SCALE FOR PUBLIC HEALTH WORKERS FOLLOWING THE SALARY GRADES UNDER REPUBLIC ACT 11466, OTHERWISE KNOWN AS THE "SALARY STANDARDIZATION LAW OF 2019": PROVIDED, THAT THE ENTRY LEVEL SALARY FOR ALL GOVERNMENT MEDICAL DOCTORS SHALL BE SALARY GRADE 24, WHILE THE ENTRY LEVEL SALARY FOR ALL GOVERNMENT NURSES SHALL BE SALARY GRADE 16.

XXX.

SECTION 5. Section 20 of the same Act is hereby amended to read as follows:

"Section 20. *Additional Compensation.* - Notwithstanding Section 12 of Republic Act 6758 and the provisions of Republic Act 11466, public health workers shall receive the following **ADDITIONAL allowances: hazard allowance, **SPECIAL RISK ALLOWANCE**, subsistence allowance, **RICE SUBSIDY ALLOWANCE**, longevity pay, laundry **AND CLOTHING** allowance, and remote assignment allowance."**

SECTION 6. Section 21 of the same Act is hereby amended to read as follows:

"Section 21. *Hazard Allowance.* - [Public health workers in hospitals, sanitarium, rural health units, main health centers, health infirmaries, barangay health stations, clinics and other health-related establishments located in difficult areas, strife-torn or embattled areas, distressed or isolated stations, prison camps, mental hospitals, radiation exposed clinics, laboratories or disease infested areas or in areas declared under state of calamity or emergency for the duration thereof which expose them to great danger, contagion, radiation, volcanic activity/eruption, occupational risk or perils to life as determined by the Secretary of Health, shall be compensated hazard allowances equivalent to at least twenty-five-percent (25%) of the monthly basic salary of health workers receiving salary grade 19 and below, and five percent (5%) for health workers with salary grade 20 and above.] **ALL PUBLIC HEALTH WORKERS PERFORMING HEALTH AND HEALTH-RELATED WORK REGARDLESS OF WORK LOCATION, SHALL BE ENTITLED TO A MONTHLY HAZARD ALLOWANCE AMOUNTING TO FIVE THOUSAND PESOS (P5,000.00): PROVIDED, THAT THIS RATE SHALL BE EXEMPTED FROM INCOME TAX: PROVIDED FURTHER, THAT THE RATES SHALL BE REVIEWED PERIODICALLY AND INCREASED ACCORDINGLY BY THE SECRETARY OF HEALTH IN CONSULTATION WITH THE APPROPRIATE GOVERNMENT AGENCIES AND HEALTH WORKERS ASSOCIATIONS, ORGANIZATIONS OR UNIONS."**

SECTION 7. A new Section 21-A shall be inserted after Section 21 of the same Act to read as follows:

"SECTION 21-A. SPECIAL RISK ALLOWANCE. - IN CIRCUMSTANCES, SITUATIONS, AND LOCATIONS OF WORK WHEREIN THE PERFORMANCE OF THEIR DUTIES AND RESPONSIBILITIES EXPOSE PUBLIC HEALTH WORKERS TO GREAT DANGER, OCCUPATIONAL RISKS, AND THREATS TO LIFE, AS DETERMINED BY THE SECRETARY OF HEALTH, SHALL BE ENTITLED TO SPECIAL RISK ALLOWANCE OF AT LEAST TWENTY-FIVE PERCENT (25%) OF THE MONTHLY BASIC SALARY."

SECTION 8. Section 22 of the same Act is hereby amended to read as follows:

"Section 22. Subsistence Allowance. - Public health workers who are required to render service within **OR IN THE VICINITY OF the premises of [hospitals, sanitarium, health infirmaries, main health centers, rural health units and barangay health stations, or clinics, and other health-related establishments] **HEALTH FACILITIES AND OTHER RELATED ESTABLISHMENTS** in order to make their services available at any and all times, shall be entitled to a full subsistence allowance of three (3) meals which may be computed in accordance with prevailing circumstances as determined by the Secretary of Health in consultation with the Management-Health Worker's Consultative Councils, as established under Section 33 of this Act; **PROVIDED, THAT SUBSISTENCE ALLOWANCE SHALL BE COMPUTED NOT LOWER THAN SEVENTY FIVE PESOS (P75.00) PER MEAL; Provided FURTHER,** That representation and travel allowance shall be given to rural health physicians as enjoyed by municipal agriculturists, municipal planning and development officers and budget officers."**

SECTION 9. A new Section 22-A shall be inserted after Section 22 of the same Act to read as follows:

"SECTION 22-A. RICE SUBSIDY ALLOWANCE. - ALL PUBLIC HEALTH WORKERS SHALL BE ENTITLED TO A RICE SUBSIDY ALLOWANCE IN THE FORM OF CASH AMOUNTING TO ONE THOUSAND TWO HUNDRED FIFTY PESOS (P1,250.00).

SECTION 10. Section 23 of the same Act is hereby amended to read as follows:

"Section 23. Longevity Pay. - A monthly longevity pay equivalent to five percent (5%) of the monthly basic pay shall be paid to a health worker for every five (5) years of continuous, efficient and meritorious services rendered as certified by the chief of office concerned, commencing with the service after the approval of this Act: **PROVIDED, THAT FOR EVERY TEN (10) YEARS OF SERVICE, THEY SHALL BE ENTITLED TO SPECIAL LONGEVITY PAY EQUIVALENT TO ONE (1) MONTH BASIC SALARY."**

SECTION 11. Section 24 of the same Act is hereby amended to read as follows:

"Section 24. Laundry AND CLOTHING Allowance. - All public health workers required to regularly wear uniforms shall be entitled to laundry AND CLOTHING allowance equivalent to [One hundred twenty-five pesos (P125.00)] **FIVE HUNDRED PESOS (P500.00) per month: *Provided,* That this rate shall be reviewed periodically and increased accordingly by the Secretary of Health in consultation with the appropriate**

government agencies **AND HEALTH WORKERS ASSOCIATIONS, ORGANIZATIONS OR UNIONS** concerned, taking into account existing laws, rules and regulations.”

SECTION 12. Section 28 of the same Act is hereby amended to read as follows:

“Section 28. *Compensation for Injuries.* - Public health workers shall be protected against the consequences of employment injuries in accordance with existing law. Injuries incurred while doing overtime work shall be presumed work-connected. **PUBLIC HEALTH WORKERS WHO MAY BE INJURED OR CONTRACT ANY DISEASE WHILE IN THE PERFORMANCE OF THEIR DUTIES SHALL BE ENTITLED TO AN AMOUNT OF ONE HUNDRED THOUSAND PESOS (P100,000.00): PROVIDED, THAT THE AMOUNT OF ONE MILLION PESOS (P1,000,000.00) SHALL BE GIVEN TO PUBLIC HEALTH WORKERS WHO MAY DIE WHILE IN THE PERFORMANCE OF THEIR DUTY: PROVIDED FURTHER, THAT ENTITLEMENT TO COMPENSATION UNDER THIS SECTION SHALL NOT PRECLUDE PUBLIC HEALTH WORKERS FROM CLAIMING ANY OTHER BENEFITS FOR THE SAME INJURY PROVIDED FOR BY OTHER LAWS.**”

SECTION 13. Appropriations. - The amount necessary for the immediate implementation of the provisions of this Act shall be included in the General Appropriations Act in the year following the approval of this Act.

SECTION 14. Implementing Rules and Regulations. - The Secretary of Health, after consultation with appropriate agencies of the Government as well as professional and health workers' organizations or unions, shall formulate and prepare the revised implementing rules and regulations in accordance with this Act.

SECTION 15. Separability Clause. - If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

SECTION 16. Repealing Clause. - All other laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 17. Effectivity - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in one (1) newspaper of general circulation.

Approved,