



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



NINETEENTH CONGRESS

First Regular Session

HOUSE BILL NO. **2059**

Introduced by **REPRESENTATIVE FRANCISCO PAOLO P. ORTEGA V**

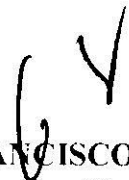
EXPLANATORY NOTE

Our Barangay Health Workers (BHW) serve as frontline health workers in the barangay. They have been tasked to provide basic health education and primary care to individuals and families in the community.

At the height of the pandemic, the BHWs performed a critical role in their respective barangays as they conducted surveillance and reporting activities vital to contact tracing to prevent the spread of the virus. The performance of their role exposed them to the risk of the corona virus but they have to comply with their mandated duties.

This bill, Magna Carta for Barangay Health Workers, will provide the appropriate and proper remuneration, incentives and other benefits, among others, to compensate them and cover their basic needs.

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


REP. FRANCISCO PAOLO P. ORTEGA V
First District, La Union

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**AN ACT
PROVIDING FOR THE MAGNA CARTA OF BARANGAY HEALTH
WORKERS**

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 “Magna Carta of Barangay Health Workers.”

Section 2. Declaration of Policy. – It is a policy of the State to protect and promote the right to health of people and adopt an integrated and comprehensive approach to health development. Pursuant to this, it shall endeavor to make essential goods, healthcare, and other social service available to all the people.

Section 3. Definition. – As used in the Act, the term “barangay health worker” refers to a person who has undergone training under any accredited government and nongovernment organization and who voluntarily renders primary health care services in the community after having been accredited to function as such by the local health board in accordance with the guidelines promulgated by the Department of Health (DOH) pursuant to section 3 of Republic Act No. 7883 otherwise known as the “Barangay Health Workers’ Benefits and Incentives Act of 1995.”

Section 4. Registration. – Barangay health workers (BHWs) shall be registered with the local health board in the city or municipality in which they render service. The registered health workers shall be given appropriate proof of said registration.

The municipal and city health offices shall regularly maintain and update the BHW Registry with the assistance of the BHW Federation and shall submit the same

to the municipal or city health board. The local health offices shall submit a copy of their respective updated BHW registry to the Provincial Health Office which shall consolidate all registries. Upon the validation of the Provincial BHW Federation, the consolidated Provincial Registry shall be submitted to the Provincial Health Board, and the same shall be posted in the municipal or city bulletin boards and barangay health centers.

The Provincial BHW Registry shall be submitted on or before April 30 of every year to the DOH at the regional and national levels of consolidation. The DOH is hereby mandated to maintain a nation register of BHWs.

In order to qualify for registration, a barangay health worker must:

- a. Have rendered basic community health care services continuously and satisfactorily for at least six (6) months immediately preceding the date of the filing of application for registration in the barangay as certified by the Rural Health Midwife (RHM) or public health nurse assigned to the barangay and by the head of the barangay health workers association;
- b. Have completed the basic orientation and training for BHWs as prescribed by the DOH and conducted by an accredited government agency, or DOH-recognized academic institution, or nongovernment organization (NGO);
- c. Be at least eighteen (18) of age at the date of filing of the application for registration; and
- d. Be physically and mentally fit.

It shall be the duty of the municipal and city health offices, in cooperation with the Provincial Health Office and DOH, to provide BHW applicants with basic orientation and training within six (6) months from the date of approval of their application.

Section 5. Accreditation. – To further professionalize the health care services rendered by the BHWs and ensure the health and welfare of the community, a duly registered BHW must be accredited by the municipal or city health board.

The municipal or city health board shall issue the certificate of accreditation for qualified BHWs. In order to qualify for accreditation, the applicant BHW must:

- a. Be registered in accordance with Section 4 hereof;
- b. Have completed in the locality at least two (2) years of continuous and satisfactory service immediately prior to the filling of application for accreditation;

- c. Have completed a regular training program on health care service and community-based health program, that would upgrade and develop the skills and competency of BHWs to perform their roles. The training program shall be institutionalized by the DOH, in cooperation with local government units (LGUs).

It shall be the duty of the municipal and city LGUs, in cooperation with the provincial government and the DOH, to provide the applicant BHWs the necessary support and opportunities for accreditation.

A BHW must complete the regular training program on health care service and community-based health program within five (5) years of registration.

The municipal and city health boards or through their registration and accreditation committee shall act on the applications for accreditation of BHWs not later than thirty (30) days from the date of application.

The DOH shall also maintain an updated roster of accredited BHWs that is accessible to the general public.

Section 6. Number and Role of Barangay Health Workers. – Notwithstanding the limitation prescribed under Section 325(a) of Republic Act No. 7160, as amended, otherwise known as “The Local Government Code of 1991”, each barangay shall at least have one (1) BHW for every twenty (20) households.

As one of the key partners in a reformed healthcare delivery system, the DOH and LGUs shall support the roles of BHWs as;

- a. Advocate – to support, promote and champion current health programs, projects and activities to improve access to quality health services towards the improved health status of the community;
- b. Educator – to guide and advise the community on the current DOH and health priorities of LGUs such as importance of birth plan and facility-based delivery in reducing material and infant deaths; newborn screening for the early detection of congenital metabolic disorders which may lead to mental retardation and even death, among others;
- c. Disseminator – to maintain regular communication with local professional health workers on health events and updates and concerns relevant to the community and inform the same to the community for appropriate action, if necessary;
- d. Coordinator – to facilitate access to any group or association of the community with a relevant network of or specific health and non-health service providers;

- e. Record Keeper – to maintain updated records of health data, health activities and events in the community;
- f. Health Care Service Provider – to assist and basic healthcare services as may be needed in the community in any health event.

A BHW shall not be required to engage in any partisan political activity.

Section 7. *Mandatory Appointment of Barangay Health Workers (BHW).* –

There shall be appointed at least one (1) BHW in every barangay for every twenty (20) households who shall be under the supervision and control of the DOH. The BHW so appointed shall coordinate closely with the local government health officer in the implementation of health programs in the locality. As far as practicable, the BHW to be employed must be a resident of the barangay.

The DOH shall determine the ratio of barangay health workers according to the number of households: *Provided*. That there shall be at least one (1) BHW for every twenty (20) households: *Provided, further*, That the total number of the barangay health workers nationwide shall not be less than one percent (1%) of the total population.

Section 8. *Incentives and Benefits.* – All BHWs who are actively and regularly performing their duties shall be entitled to monthly honoraria in the amount of not less than Three Thousand pesos (P3,000.00) subject to adjustment based on the prevailing market value, in addition to the following incentives and benefits;

- a. *Hazard allowance.* – All accredited BHWs shall be entitled to hazard allowance in an amount to be determined by the local health board of the LGU concerned, which in no case shall be less than One thousand pesos (P1,000.00) per month, subject to existing laws, rules, and regulations;
- b. *Subsistence Allowance.* – All accredited BHWs who render service within the premises of isolated barangay health stations shall be entitled to subsistence allowance equivalent to the meals they take in the course of their duty, which shall be computed in accordance with prevailing circumstances as determined by the LGU concerned. such allowance shall, in no case, be less than One hundred pesos (P100.00) per day;
- c. *Transportation allowance.* – All accredited BHWs, in the performance of their official duties, shall be entitled to a transportation allowance of not less than One thousand pesos (P1,000.00) per month, subject to auditing rules and regulations;
- d. *One-time retirement Cash Incentive.* – All accredited BHWs who has continuously and satisfactory served for at least fifteen (15) years shall be entitled to a one-time retirement cash incentive of not less than Ten

thousand pesos (P10,000.00) in the recognition of their loyalty and dedication, which shall be borne by the municipality or city concerned. The provincial government may provide assistance for this purpose, in the case of component cities:

e. *Training, Education and Career Enrichment Programs.* – The DOH shall, in coordination with the Department of Education (DepEd), Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), DOH-recognized academic institutions, other concerned agencies and nongovernment organizations, provide information on and opportunities for education and career enrichment for accredited BHWs, such as in the following programs:

- 1) Educational Programs which credit the years of primary healthcare service of the BHW towards higher education completion in institutions with stepladder curricula thus allowing them to upgrade their skills and knowledge for community work or to pursue further training as midwives, pharmacists, nurses or doctors;
- 2) Continuing education, study and exposure tours, grants, field immersion, and scholarship, among others;
- 3) Scholarship benefits in the form of tuition fee in state colleges, to be granted to one (1) child of every barangay health workers who will not be able to take advantage of the program described in paragraphs (1), (2) and (3) hereof; and
- 4) Special training programs such as traditional medicine, disaster preparedness and other programs that address emergent community health problems and issues.

f. *Health Benefits.* – All accredited BHWs shall be entitled to the following health benefits during their incumbency:

- 1) Free medical care, including surgery and surgical expenses medicines, x-ray and other laboratory fees, when confined in any public hospital or health institution;
- 2) Emergency assistance not exceeding the amount of Five thousand pesos (P5,000.00) chargeable against the fund of the barangay concerned, for expenses incurred in the nearest private hospital or clinic in case of extreme emergency where there is no public hospital;
- 3) Mandatory immediate membership in the Philhealth as indirect contributors.

g. *Insurance Coverage.* – Accredited BHWs shall be granted insurance coverage and benefits by the Government Service Insurance System (GSIS) which shall be borne by the LGU concerned. For this purpose, the GSIS shall design an insurance benefit package suited to the needs and unique circumstance of the BHWs;

- h. *Sick, Vacation and Maternity Leaves.* – All accredited BHWs shall be entitled to sick vacation and maternity leaves as may be prescribed in the implementing rules and regulation of this Act: *Provided*, That the BHWs shall continue to receive their monthly honoraria while on leave, for such period in accordance with existing laws and practices.
- i. *Cash Gift.* – All accredited BHWs are entitled to a cash gift not less than the minimum monthly honoraria to be given every December from the general fund of the barangay or from such other funds appropriated by the national government for the purpose;
- j. *Disability Benefits.* – An accredited BHWs who sustains an injury or falls ill in the course of the performance of their duties shall not be entitled to Two thousand pesos (P2,000.00) for every year of service.
- k. *Civil Service Eligibility.* –A first grade eligibility shall be granted to accredited BHWs who have rendered three (3) years continuous service as such: *Provided*, that should a BHW become a regular employee of the government, the total numbers of years served as such shall be credited to the BHW's service in the computation of retirement benefits.
- l. *Free Legal Services.* – Legal representation and consultation services shall be immediately provided by the Public Attorney's Office to a BHW in cases of coercion interference, and ~~in other~~ civil and criminal cases filed by or against the BHW arising out of or in connection with the performance of their duties as such.
- m. *Preferential Access to Loan Facilities.* – The DOH in coordination with other concerned government agencies shall provide, within one hundred eighty (180) days after the effectively of this Act, a mechanism that shall provide organized BHWs access to loan services will set aside one percent (1%) of their loanable funds for organized BHW groups that have community-based income generating projects in support of health programs or activities.

Section 9. Review by the Local Health Board. – Every incentive or benefit for BHWs requiring expenditure of local funds shall be reviewed and approved by the LHB. Such benefits and incentives may be increased, upon review of the LHB, after considering, among others, the present Consumer Price Index (CPI) as published by the Philippine Statistic Authority (PSA)."

Section 10. Discrimination Prohibited. – Discrimination against any BHW by reason of gender, civil status, creed, religious or political beliefs and ethnic groupings in the exercise of their functions and responsibilities in hereby prohibited.

Section 11. *Protection of BHWs.* – The municipal, city, provincial government and the Department of the Interior and Local Government (DILG) shall establish a grievance mechanism as a means of processing complaints of BHWs against alleged acts of discrimination and unjust removal from the service. A BHW may appeal their grievances to the DILG.

Section 12. *Right to Self-organization.* – A BHW shall have the right to freely form, join or assist organizations to obtain redress of their grievances through peaceful concerted activities, in a manner not contrary to law, and with utmost regard to service to patients and the continuous operation of barangay health services in the interest of public health, safety, or survival of patients.

Section 13. *Representation in the Local Health Board and Primary Health Care Provider Network.* - The president of the municipal or city association of BHW's shall be a member of the municipal or city local health board. The presidents of the association of BHW's of each component city and municipality associations of a province shall elect from among themselves their representative to the provincial health board. *Provided, That,* the BHW representatives to the health boards shall not be allowed to vote on the registration, accreditation, and disciplinary or removal complaints of BHWs.

The BHW's shall also form part of the healthcare provider network and shall participate in the implementation of healthcare services and programs.

Section 14. *Continuous Capacity Building for BHW* - The DOH shall conduct continuous capacity building for BHW's to enhance and upgrade their knowledge, skills, including training programs conducted online and in major Philippine dialects.

Section 15. *Penalty Clause.* - Any local government official who violates any provision of this Act may be administratively and criminally charged in accordance with law.

Section 16. *Appropriations.* - The amount necessary for the implementation of this Act shall be charged against the National Tax Allotment (NTA) of the LGUs, other local funds and the special health fund under Republic Act No. 11223 otherwise known as the "Universal Health Care Act".

Section 17. *Implementing Rules and Regulation* - The DOH and the DILG shall, in consultation with DepEd, the CSC, the GSIS, and other concerned government agencies and nongovernmental entities, promulgate the rules and regulations to implement this Act not later than one hundred eighty (18) days from the effectivity of this Act.

Section 18. *Separability Clause* - If any portion or provision of this Act is declared invalid or unconstitutional, other provisions hereof shall remain in full force and effect.

Section 19. *Repealing Clause* - Republic Act No. 7883 otherwise known as the “Barangay Health Workers’ Benefits and Incentives Act of 1995” is hereby repealed. All laws, decrees, executive orders, rules and regulations, which are inconsistent with this Act are hereby repealed, or modified accordingly.

Section 20. *Effectivity* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a national newspaper of general circulation.

Approved,