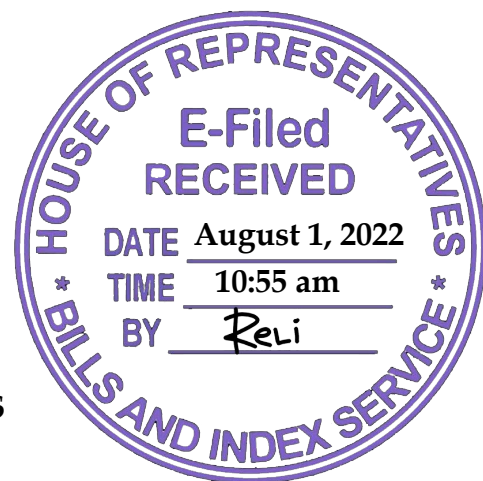




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH (19th) CONGRESS
First Regular Session

House Bill No. 2805



Introduced by: Hon. Ma. Victoria Co - Pilar

EXPLANATORY NOTE

The ongoing HIV/ AIDS pandemic has been one of the world's worst, with 60 million people infected since the beginning of the pandemic and 25 million deaths. According to research and monitoring, our country is one of only nine countries in the world where the prevalence has increased more than 25% over the past decade.

While the country has a comprehensive policy on Human Immunodeficiency Virus (HIV) that established a national protocol for the prevention, treatment, care and support as stipulated in Republic Act No. 8504 or The Philippine Aids Prevention and Control Act of 1998, it is a cause for alarm to see that according to a study published in the International Journal of Infectious Diseases, the Philippines has one of the fastest growing HIV epidemics in the world.

We have instigated policies and laws to criminalize the discrimination of HIV positive individuals. We have pushed for laws to make antiretrovirals and other forms of treatment against the said virus to be as affordable as possible. But, we have yet to establish a national hospital and a research institute to lead the charge in making sure that the Philippines is safe from HIV. It is about time that we take the fight seriously as we are in a losing battle.

This bill proposes the creation of a national reproductive health research and treatment institute that will specialize in the treatment and research of HIV/ AIDS. The establishment and maintenance of this hospital would primarily benefit HIV positive individuals and their families and would further enhance the noble undertaking of AIDS research, provide a state-of-the-art training of

medical and technical personnel as well as the prevention, control; and treatment of HIV/AIDS. It shall also develop programs that would support and augment the Philippine Aids Prevention and Control policy.

Hence, the passage of this bill is earnestly sought

A handwritten signature in black ink, appearing to be "S. Garcia", written in a cursive style.



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1
2 **AN ACT CREATING THE NATIONAL REPRODUCTIVE HEALTH**
3 **RESEARCH AND TREATMENT INSTITUTE OF THE PHILIPPINES**
4

5 *Be it enacted by the Senate and House of Representatives of the Philippines in*
6 *Congress assembled:*
7

8 **SECTION 1, Short Title** - This Act shall be known as the “National
9 Reproductive Health Research Institute of the Philippines Act”
10

11 **SECTION 2, Declaration of Policy** - The state shall establish, maintain
12 and ensure adequate health services to guarantee the well – being of every
13 Filipino.
14

15 **SECTION 3, Creation of the National Reproductive Health Research and**
16 **Treatment Institute of the Philippines** - There is hereby created under the
17 supervision of the Department of Health, the National Reproductive Health
18 Research and Treatment Institute of the Philippines.
19

20 **SECTION 4, Board of Trustees** - The National Reproductive Health
21 Research and Treatment Institute of the Philippines. shall be governed and its
22 activities and properties be directed and controlled and managed, by a Board of

1 Trustees, which shall be composed of a Chairman and six (6) members, all of
2 whom to be appointed by the President of the Philippines upon the
3 recommendation of the Department of Health.

4
5 The members of the Board of Trustees shall serve for a period of five (5)
6 years and / or until their successors shall have been appointed to fill the vacancy
7 shall hold office for the unexpired term of the member. Whenever a vacancy shall
8 occur in the board, the person appointed to fill the vacancy shall hold office for
9 the unexpired term of the member.

10
11 The Board shall elect a Chairman from among themselves, who shall be
12 the presiding officer of the Board of Trustees. The Medical Director of the HIV,
13 AIDS and STI Prevention and Control Program shall serve as Vice – Chairman of
14 the Board.

15
16 Four (4) members of the Board of Trustees shall constitute a quorum to
17 transact business and any decision of such four (4) members on any matter duly
18 presented to the Board of Trustees shall constitute a valid and binding act of the
19 National Reproductive Health Research and Treatment Institute of the
20 Philippines.

21
22 **SECTION 5, Purpose and Objective** – The National Reproductive Health
23 Research and Treatment Institute of the Philippines. shall have the following
24 purpose and objectives:

25
26 (a) To construct, establish, equip, maintain, administer and operate such
27 integrated medical institution or institutions that shall specialize in the
28 prevention, diagnosis, treatment, care, rehabilitation, and / or relief of
29 HIV, AIDS and STI in all its kinds and forms;

30 (b) To promote medical and scientific research relative to the prevention
31 and treatment of HIV, AIDS and STI;

- (c) To assist universities, colleges, hospitals and research institutions in their studies of HIV, AIDS and encourage advanced training and specialization of matters of, or affecting HIV, AIDS and STI
- (d) To conduct fact-finding investigations on cancer related fields throughout the country or elsewhere, and to report, publish and disseminate information on the prevention and treatment of all forms of HIV, AIDS and STI;
- (e) To finance, sponsor, hold or participate in congresses, conventions, conferences, seminars, workshops and training programs on cancer and/or related fields in the Philippines or abroad;
- (f) To encourage and assist in the education and training of physicians, nurses, health officers, social workers, and medical and technical personnel in the practical and scientific implementation of services to HIV, AIDS patients;
- (g) To assist universities, hospitals and research institutions in their studies on cancer, oncology and other related fields, to encourage and grant scholarships for advanced training and specialization in oncology and related fields, and to support educational programs of value to general public health;
- (h) To provide psychosocial support services and counseling to the patient and family members,
- (i) To simulate the formation of other organizations on the national, provincial, city and/or local levels, and to coordinate the various efforts and activities of such organization for the purpose of achieving a more effective approach to the common problem relative to the purposes and objectives enumerated herein; and
- (j) To be the national center for excellence in obstetrics - gynecology and the treatment of HIV, AIDS and STI the Philippines.

SECTION 6, Government Contribution – The Government shall contribute the necessary land, building, equipment and facilities to the National Reproductive Health Research and Treatment Institute of the Philippines.

1 **SECTION 7, Property of the Center** - The property of the National
2 Reproductive Health Research and Treatment Institute of the Philippines shall
3 consist of real, personal, mixed and other types of property, new owned or
4 reserved for, or may hereafter be given, donated, acquired, transferred or
5 conveyed to the National Reproductive Health Research and Treatment Institute
6 of the Philippines. by the government, its branches and instrumentalities, any
7 foreign government, as well as by trust, foundations, corporations, or persons,
8 alien or domestic, in order to carry out its purposes and objectives as set forth
9 herein.

10
11 **SECTION 8, Powers** - For the attainment and / or furtherance of the
12 above enumerated purpose and objectives, the National Reproductive Health
13 Research and Treatment Institute of the Philippines., acting through its Board of
14 Trustees, shall have the following orders and functions, among other things:

- 15
16 (a) To contract and be contracted with;
17 (b) To adopt by-laws, rules and regulations not contrary to law to govern
18 the administration and operation of the affairs of the National
19 Reproductive Health Research and Treatment Institute of the
20 Philippines;
21 (c) To purchase, receive, take grand, holed, convey, sell, lease, pledge,
22 transfer, convey, exchange, mortgage and otherwise deal with such
23 property of whatever nature the transaction of the lawful business of
24 the National Reproductive Health Research and Treatment Institute of
25 the Philippines. may reasonably and necessarily require subject to the
26 limitations prescribed by law;
27 (d) To obtain loans, borrow funds and/or arrange financing or credit
28 assistance of whatever kind and nature from all lawful sources,
29 whether domestic or foreign and whether government or private, and
30 to mortgage, pledge or otherwise encumber any of its properties and
31 assets for the purpose of securing or guaranteeing the performance or
32 fulfillment of any obligation it may undertake for itself or for other
33 entities in which it may be interested;

1 (e) To invite foreign cancer specialists and similar experts in the various
2 medical fields to train the personnel or trainees or residents of the
3 National Reproductive Health Research and Treatment Institute of the
4 Philippines;

5 (f) To advance the training of personnel in Philippine conventions,
6 conferences, congresses, seminars to accomplish the purpose and
7 objectives of the National Reproductive Health Research and
8 Treatment Institute of the Philippines.;

9 (g) To exercise such other powers and functions as may be necessary to
10 carry out the purposes of the National Reproductive Health Research
11 and Treatment Institute of the Philippines.
12
13

14 **SECTION 9, Tax Exemption on Donations** – All donations, contributions
15 or endowment which may be made by entities or persons to the National
16 Reproductive Health Research and Treatment Institute of the Philippines. shall
17 be exempt from income and gift taxes.
18

19 The National Reproductive Health Research and Treatment Institute of the
20 Philippines. shall be exempt from the payment of all taxes, charges and fees
21 imposed by the government or any political subdivision or instrumentality
22 thereof.
23

24 **SECTION 10, Appointment, Promotion; Terms and Conditions of**
25 **Employment** – The National Reproductive Health Research and Treatment
26 Institute of the Philippines. and its officers and employees shall be covered by the
27 Civil Service Law, rules and regulations, and by the office of the Compensation
28 and Position Classification. The officers and employees of the National
29 Reproductive Health Research and Treatment Institute of the Philippines shall be
30 appointed or promoted pursuant to management policies and / or appropriate
31 merit and fitness system as may be adopted by the Board.
32

1 **SECTION 11, Assistance from Government Offices** - The National
2 Reproductive Health Research and Treatment Institute of the Philippines may
3 call upon any department, bureau, offices and agency or instrumentality of the
4 Government, including government - owned and controlled corporations, for
5 such assistance as it may need in the pursuit of purposes and objectives.

6
7 **SECTION 12, Appropriations** - The amount of five hundred million
8 pesos is hereby appropriated for the initial operation of the National
9 Reproductive Health Research and Treatment Institute of the Philippines which
10 shall be charged to the appropriations of the Department of Health under the
11 current General Appropriations Act. Thereafter, the necessary amount to support
12 the continued operation and maintenance of the National Reproductive Health
13 Research and Treatment Institute of the Philippines shall be included in the
14 annual General Appropriations Act.

15
16 **SECTION 13, Auditing** - The books of accounts of the National
17 Reproductive Health Research and Treatment Institute of the Philippines shall be
18 subject to periodic auditing by the Commission on Audit.

19
20 **SECTION 14, Annual Report** - The National Reproductive Health
21 Research and Treatment Institute of the Philippines shall render to the
22 Department of Health an annual report on its operations and accomplishments.

23
24 **SECTION 15, Effect of Dissolution** - If for any reason, the National
25 Reproductive Health Research and Treatment Institute of the Philippines is
26 dissolved, its properties and assets remaining at the time of such dissolution, its
27 properties and assets remaining at the time of such dissolution shall revert to the
28 Philippine Government for disposition in accordance with law.

29
30 **SECTION 16. Separability Clause** - If any provision of this Act is held
31 invalid or unconstitutional, the other provisions not so declared shall remain in
32 force and effect.

1 **SECTION 17. Repealing Clause** – All laws, decrees, orders and rules and
2 regulations contrary to or inconsistent with the provisions of this Act are hereby
3 repealed or amended accordingly.

4

5 **SECTION 18. Effectivity** – This Act shall take effect fifteen (15) days after
6 its publication in the Official Gazette or in a newspaper of general circulation.

7

8 Approved.

9