

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

H. B. No. 2835

Introduced by Representative Ralph G. Recto

**AN ACT
PROVIDING FOR BENEFITS, INCENTIVES, ALLOWANCES, AND OTHER
ENTITLEMENTS FOR BARANGAY HEALTH WORKERS, PROVIDING FUNDS
THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The global pandemic brought about by COVID-19 has been a continuing challenge to our health care system. Our experience since 2020 has shown the importance of having a good primary health care system – one that is accessible, efficient, effective, and capable of responding to the health care needs of the people right in the community, especially during emergencies.

When the highly transmissible virus hit home, many people were caught off guard and were at a loss on what to do and where to go. And, as the virus continued to infect our households and communities, one person or one family at a time, fear and confusion were amplified in the struggle of many Filipinos to survive the health and economic crisis.

Our barangays being the basic units of government closest to the people were once again tasked to provide the first response. The Barangay Health Emergency Response Teams (BHERTs) which were born out of a dire necessity to combat the SARS outbreak in 2003 were activated and strengthened to help people navigate the public health care system. The BHERTs, the majority of which, consist of Barangay

Health Workers (BHWs) have been continuously serving as the first-line responders in our communities to help manage all COVID-19-related healthcare concerns. Our tireless BHWs also take care of disseminating health protocol guidelines and updates to their assigned households while at the same time monitoring infected patients, including those locally stranded individuals and returning residents who are in mandatory quarantine. In many cases, they also act as contact tracers. These responsibilities make them vulnerable to infection as they are exposed to the virus while doing their work every day.

In addition to the pandemic-related tasks, our BHWs are also providing public health services like first aid intervention in barangay health stations and assistance in immunization of infants, children, and senior citizens. At the same time, they act as on-call first responders to health emergencies in the barangay.

And yet, despite the immense task imposed on them, our BHWs are still considered voluntary workers and they rank the lowest, among all civil servants, in terms of incentives, benefits, and privileges enjoyed and received.

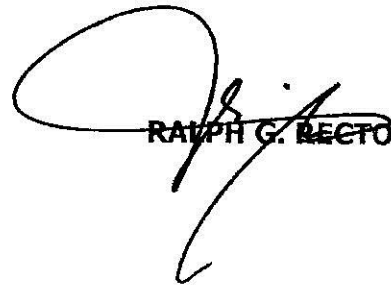
This bill is filed in recognition of the invaluable contribution of our BHWs in the delivery of much-needed health care services at the grassroots. It mandates the provision of a menu of incentives, benefits, and allowances as well as non-monetary compensation currently provided to our BHWs under existing laws.

Moreover, the bill provides additional benefits to BHWs such as death and burial benefits, emergency assistance, loyalty award, and legal indemnification, among others. It also directs a mandatory review of the BHWs' benefits, incentives, and allowances every three years to take into account inflation.

To finance these benefits, the necessary funding shall be sourced from the additional proceeds arising from the share of local government units in the national taxes collected by the Bureau of Customs following the decision of the Supreme Court in *Mandanas vs. Executive Secretary*, G.R. No. 199802 dated July 3, 2018.

These interventions are proposed to honor our BHWs for all the valuable services they render to the community. These will build a strong foundation for a good primary health care system in the country by maintaining a motivated and competent corps of BHWs in every barangay. These are our meaningful contributions to taking care of those who ensure the health and well-being of Filipinos whether in normal conditions or in times of crisis.

In light of the foregoing, immediate passage of the bill is earnestly sought.



RALPH G. RECTO

/mksbc

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

1 Section 1. *Title.* – This Act shall be known as the "*Barangay Health Workers*
2 *Benefits Act.*"

3 Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to
4 protect and promote the right to health of the people and to provide conditions for
5 health empowerment, where each individual has access to information and services
6 that will bring about health and well-being. The Primary Health Care approach which
7 is embodied in the Universal Health Care Act is recognized as the major strategy
8 toward health empowerment by providing accessible and acceptable health services
9 at the grassroots level. In line with this policy and cognizance of the crucial role of
10 Barangay Health Workers as front liners in primary health care, the State shall ensure
11 the promotion of their rights and welfare and the faithful performance of their duties
12 and functions, through the recognition of their rights as civil servants and the provision
13 of remuneration, benefits, allowances and other entitlements commensurate to the
14 service they render to the country.

15 Sec. 3. "*Barangay Health Worker (BHW)*" – A BHW shall refer to a person who
16 has undergone training programs under any accredited government and non-
17 government organization and who voluntarily renders primary health care services in
18 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). The accredited BHW shall be given a copy of the proof of said accreditation.

Sec. 4. *Coverage.* – This Act shall apply to all BHWs as defined in Section 3 of this Act: *Provided,* That when the BHW receives a fixed salary under a permanent appointment in any other government office, by election to another public office or by employment in the private sector, their coverage under this Act shall automatically cease and they shall then be covered under other appropriate laws.

Sec. 5. *Registry.* – The local health boards shall maintain and update a registry of accredited BHWs in their respective local government units (LGUs) and shall submit an updated copy thereof to the DOH every year. The DOH shall maintain a national registry of BHWs which shall serve as the reference of the national government in crafting health policies and in implementing health care programs. The registry shall be the basis for the release of appropriations for the payment of honoraria and the remittance of mandatory contributions to GSIS, PhilHealth and PagIBIG Fund as provided in Section 7 of this Act.

Sec. 6. *Number of BHWs.* – The DOH, in consultation with the Department of the Interior and Local Government (DILG) shall determine the ideal ratio of BHWs to the number of households per barangay: *Provided,* That the total number of BHWs nationwide shall not be less than one percent (1%) of the total population.

Sec. 7. *Incentives, Benefits and Allowances.* – BHWs shall be entitled to the following:

a. *Honoraria* – BHWs shall receive a monthly honoraria of not less than Three thousand pesos (P3,000.00);

b. *Membership in the Government Service Insurance System (GSIS)* – The GSIS shall establish a social insurance program to provide life insurance and social protection to BHWs. It shall be mandatory for barangay governments to pay the monthly contributions to life insurance, retirement, and social protection coverage of their respective BHWs.

Barangay governments shall include in their annual appropriations the amounts necessary for their share of contributions;

- 1 c. *Enrolment in the National Health Insurance Program of the Philippine Health*
2 *Insurance Corporation* – BHWs shall be enrolled into the National Health
3 Insurance Program in accordance with existing laws, rules and regulations.
4 Barangay governments shall include in their annual appropriations the
5 amounts necessary for their share of contributions;
- 6 d. *Membership in the Home Development Mutual Fund* – BHWs shall be
7 covered under the mutual provident savings system of the Home
8 Development Mutual Fund (PagIBIG Fund);
9 Barangay governments shall include in their annual appropriations the
10 amounts necessary for their share of contributions;
- 11 e. *Hazard Allowance* – BHWs who render service in areas declared under a
12 state of calamity or emergency shall be entitled to a hazard allowance
13 equivalent to ten percent (10%) of their monthly honoraria until such
14 declaration has been lifted by a competent authority;
- 15 f. *Subsistence Allowance*. – BHWs who render services in barangay health
16 stations located in geographically isolated and disadvantaged areas shall be
17 entitled to a daily subsistence allowance amounting to not less than One
18 hundred pesos (P100.00);
- 19 g. *Transportation Allowance* – BHWs shall be entitled to a monthly
20 transportation allowance amounting to not less than One thousand pesos
21 (P1,000.00): *Provided*, That for official travel such as attendance in
22 seminars, conferences and transportation of patients outside of their
23 respective barangays, the travel expenses shall be shouldered by the
24 Barangay government concerned and shall not be deducted from the travel
25 allowance of BHWs: *Provided, further*, That BHWs shall be entitled to a ten
26 percent (10%) discount in transportation fare during their incumbency;
- 27 h. *Emergency assistance* – BHWs shall be entitled to an emergency assistance
28 amounting to Five thousand pesos (P5,000.00) for expenses incurred during
29 health emergencies;
- 30 i. *Sick, vacation and maternity or paternity leave* - BHWs shall be entitled to
31 sick, vacation and maternity or paternity leaves as may be prescribed by
32 the Barangay governments: *Provided*, That BHWs shall continue to receive

1 their monthly honoraria and other allowances applicable, while on
2 authorized leave of absence;

- 3 j. *Christmas bonus or cash gift* – BHWs shall receive a Christmas bonus or
4 cash gift which shall not be less than their monthly honoraria once a year;
5 k. *Death and Burial Benefits* – In the event of the death of BHWs during their
6 incumbency, they shall be entitled to death and burial benefits amounting
7 to Twenty-five thousand pesos (P25,000.00) to be paid to their respective
8 legal beneficiaries.

9 In addition to the death benefits herein provided, a burial benefit of Two
10 thousand pesos (P2,000.00) shall be paid to the beneficiaries of BHWs
11 within twenty-four (24) hours after written notice and satisfactory proof of
12 death.

13 In case the death of a BHW occurred by reason, or on the occasion of the
14 performance of official duties and functions, the legal beneficiaries of the
15 BHW concerned shall be entitled to twice the death and burial benefits
16 provided herein;

- 17 l. *Loyalty Award* – BHWs shall be given a loyalty award for every five (5) years
18 of continuous and meritorious service rendered, as recommended and
19 certified by the punong barangay concerned or by the local health boards.
20 A loyalty incentive which shall not be less than the BHW's monthly honoraria
21 along with a Certificate of Appreciation shall be provided to qualified BHWs;
22 m. *Training, Education and Career Enrichment Program* - BHWs shall be
23 prioritized in all relevant training and education opportunities as well as
24 career enrichment programs of the DOH, Commission on Higher Education,
25 Technical Education and Skills Development Authority, Department of
26 Education and other government agencies concerned;
27 n. *Civil Service Eligibility* – Qualified BHWs shall be conferred with the
28 appropriate civil service eligibility in accordance with existing laws, rules and
29 regulations: *Provided, That* when a BHW becomes a regular employee of
30 the government, the total number of years served as a BHW shall be
31 included in the computation of retirement benefits;

1 o. *Legal Indemnification* – BHWs shall be entitled to an equitable legal
2 indemnification package in the form of legal assistance and other forms of
3 legal protection and indemnification for all legal costs and expenses
4 reasonably incurred in any administrative, civil, or criminal action, suit or
5 proceeding to which they have been made a party by reason of the
6 performance of their official functions or duties unless they are finally
7 adjudged in such action or proceeding to be guilty of an offense;

8 p. *Employment Preference in Agencies and Instrumentalities of Government* –
9 Qualified BHWs shall be accorded preferential treatment in employment
10 with national government agencies, LGUs, or government-owned or -
11 controlled corporations, subject to the minimum standards and guidelines
12 prescribed by the CSC, and in accordance with existing laws, rules and
13 regulations; and

14 q. *Other benefits, incentives and allowances* – Other benefits, incentives and
15 allowances not enumerated in this Act may be provided by the LGUs subject
16 to the availability of funds.

17 Sec. 8. *Periodic Review.* – The local health boards shall conduct a mandatory
18 review of all benefits, incentives and allowances enumerated in this Act every three
19 (3) years taking into consideration the current Consumer Price Index as published by
20 the Philippine Statistics Authority.

21 Sec. 9. *Security of Tenure.* – The services of accredited BHWs shall not be
22 coterminous with elected barangay officials, except in cases where there is a valid
23 cause under existing laws and after due process: *Provided*, That if a BHW, upon
24 appeal, is found by the CSC to be unjustly dismissed from service, the said BHW shall
25 be entitled to reinstatement without loss of incentives, benefits and allowances from
26 the time of termination up to the time of reinstatement: *Provided, further*, That the
27 CSC shall resolve termination cases against BHWs not later than ninety (90) days upon
28 receipt of complaints.

29 Sec. 10. *Prohibition Against Discrimination.* – Discrimination against a BHW due
30 to gender, civil status, creed, religion, political affiliation and beliefs or ethnic
31 groupings is prohibited.

1 Sec. 11. *Appropriations.* – The amount necessary for the implementation of the
2 provisions of this Act shall be sourced from the share of LGUs from the national taxes
3 collected by the Bureau of Customs (BOC) based on the collection of the third fiscal
4 year preceding the current fiscal year: *Provided, That* in the event that such amount
5 is insufficient to effectively implement the provisions of this Act or when the amount
6 exceeds the limitations on Personnel Services as provided in Section 331(b) of Republic
7 Act No. 7160, as amended, otherwise known as the "*Local Government Code of 1991*",
8 the *Sangguniang Barangay* concerned shall formulate a mechanism to prioritize and
9 adjust the benefits, incentives and allowances provided under this Act.

10 Sec. 12. *Implementing Rules and Regulations.* – Within thirty (30) days upon
11 the effectivity of this Act, the Department of Budget and Management (DBM) and the
12 DILG, in coordination with the DOH, CSC, *Liga ng mga Barangay*, and other
13 government agencies concerned, shall promulgate the necessary implementing rules
14 and regulations for the effective implementation of this Act.

15 Sec. 13. *Separability Clause.* – If any provision, section or part of this Act shall
16 be declared unconstitutional or invalid, such judgment shall not affect, invalidate or
17 impair any other provisions, sections or parts thereof.

18 Sec. 14. *Repealing Clause.* – All laws, acts, decrees, executive orders,
19 issuances, and rules and regulations or parts thereof which are contrary to and
20 inconsistent with this Act are hereby repealed, amended or modified accordingly.

21 Sec. 15. *Effectivity.* – This Act shall take effect fifteen (15) days following its
22 publication in at least two (2) newspapers of general circulation or in the *Official*
23 *Gazette*.

Approved,