

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

NINETEENTH CONGRESS
First Regular Session

House Bill No. 4123



Introduced by Representative Ron P. Salo

EXPLANATORY NOTE

Overseas Filipino Workers (OFWs) have always been contributing immensely to keep our country's economy afloat since 1980 through their personal remittances. Such remittances hit an all-time high of \$34.9 billion in 2021 and accounted for 8.9 percent of our gross domestic product (GDP). According to the Bangko Sentral ng Pilipinas, cash remittances sent by overseas Filipinos across various regions remained robust even in the face of a global pandemic.

Because OFWs work in a foreign country, they are faced with challenges in their work environment, communication, finances, and most of all, health. According to the National Research Council of the Philippines of the Department of Science and Technology (NRCP-DOST), one of the financial risks of working as an OFW is spending too much on addressing their health problems, using the money that could have been a part of their savings for the family. Based on the said study, the common health problems of OFWs are the following: diseases related to cardiovascular, reproductive, digestive, and urinary/excretory systems. Among these, hypertension, arthritis, and hepatitis are the diseases with the highest recorded cases among OFWs. According to the said study, their exposure to harmful substances, chronic fatigue, overworking, lack of rest and proper nutrition, unfamiliar weather conditions, and abuse by their employers contribute to these illnesses.

Thus, this bill seeks to establish a specialty government hospital primarily devoted to the needs of OFWs. This will address the health and financial concerns of our OFWs and their dependents, as well as give due recognition to their valuable contribution to our national economy.

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

RON P. SALO
KABAYAN Party List

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AN ACT
ESTABLISHING THE OVERSEAS FILIPINO WORKERS (OFW) HOSPITAL AND
OFW CARE CENTERS IN ALL DEPARTMENT OF HEALTH-RETAINED
HOSPITALS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER
PURPOSES

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

SECTION 1. Short Title. – This Act shall be known as the “OFW Hospital and OFW Care Centers Act”.

SEC. 2. Declaration of Policy. – It is the policy of the State to protect and promote the right to health of the Filipino people and to instill health consciousness among them. The State shall adopt an integrated and comprehensive approach to health development. Further, the State shall protect the interest and promote the well-being of overseas Filipino workers (OFWs) in recognition of their importance and contribution to economic development and nation building.

SEC. 3. Definition of Terms. – As used in this Act, the following terms and phrases are defined as follows:

- (a) *Dependents* shall refer to any of the following: (1) the legal spouse entitled by law to receive support from the overseas Filipino worker; (2) the legitimate, legitimated, legally adopted, or illegitimate child who is unmarried, not gainfully employed, and has not reached twenty-one (21) years of age, or if over twenty-one (21) years of age, is congenitally incapacitated or while still a minor has been permanently incapacitated and incapable of self-support, physically or mentally; or (3) the parents who are receiving regular support from the overseas Filipino worker;
- (b) *Overseas Filipino Worker (OFW)* refers to a Filipino who is to be engaged, is engaged, or has been engaged in remunerated activity in a country of which he or she is not an immigrant citizen, or permanent resident or is not awaiting naturalization, recognition, or admission, whether land-based or sea-based regardless of status; excluding a Filipino engaged under a government-recognized exchange visitor program for cultural and

educational purposed. For purposes of this provision, a person engaged in remunerated activity covers a person who has been contracted for overseas employment but has yet to leave the Philippines, regardless of status and includes "Overseas Contract Workers". The term "OFW" is synonymous to "Migrant Worker";

- (c) *OFW care center* refers to a unit or department in a DOH-retained hospital that offers services primarily to OFWs and their dependents, addressing their particular conditions and providing specific procedures and management of cases.

SEC. 4. Establishment of the OFW Hospital. – The Overseas Filipino Workers Hospital and Diagnostic Center located in San Fernando, Pampanga shall be known as the "OFW Hospital". The OFW Hospital shall have at least tertiary level of care and shall primarily cater to and be developed consistent with the medical needs of overseas Filipino workers and their dependents; *Provided*, That nothing herein shall prevent the OFW Hospital from accommodating patients other than overseas Filipino workers and their dependents.

The OFW Hospital shall be under the administrative and technical supervision of the Department of Health (DOH); *Provided*, That in the performance of its mandate as herein provided, the DOH shall closely coordinate and consult with the Department of Migrant Workers (DMW) and its attached agencies with regard to the medical and mental needs of the overseas Filipino workers and their dependents.

The DOH, in consultation with the DMW, shall prepare a development plan to reflect the objectives of the OFW Hospital.

SEC. 5. Objectives. – To ensure the availability, accessibility, and affordability of quality health care, the OFW Hospital shall have the following main objectives:

- (a) Provide comprehensive and total health care services to all migrant workers including Overseas Workers Welfare Administration (OWWA) contributors, whether active or non-active, and their legal dependents;
- (b) Conduct medical examinations to ensure the physical and mental capability of would-be overseas contract workers duly covered by an approved job order;
- (c) Serve as primary referral hospital for repatriated OFWs needing medical assistance and support;
- (d) Set up systems that will effectively monitor condition of patients and to generate relevant health information and data for policy formulation; and
- (e) Participate in the health care provider networks and arrangements relative to the implementation of Republic Act No. 11223, or the "Universal Health Care Act."

SEC. 6. Establishment of OFW Care Centers. – OFW care centers are hereby established in DOH-retained hospitals. The level of OFW services and corresponding facilities in OFW care centers and their respective health human resource requirements shall be determined by the DOH, in coordination with stakeholders: *Provided*, That the standards to be adopted thereon shall be consistent with the Philippine Health Facility Development Plan and Section 5 of this Act.

SEC. 7. Organizational Structure and Staffing Pattern – The DOH, in coordination with the Department of Budget and Management (DBM), shall determine the organizational structure, staffing pattern, and list of plantilla positions of the OFW Hospital as it may deem necessary for the effective performance of the Hospital's objectives, as well as the salaries of the personnel in accordance with the salary standardization law of the civil service rules and regulations.

SEC. 8. Fees and Charges. – There shall be no pay ward in the OFW Hospital. As such, no other fees or expenses shall be charged or be paid for by the OFWs and qualified dependents. Doctors practicing in the OFW Hospital shall not be allowed to bill or charge for separate professional fees other than what they receive from the government and such applicable reimbursements from the Philippine Health Insurance Corporation (PhilHealth).

SEC. 9. Medical Assistance. – The Secretary of the DMW shall ensure that existing health benefits and medical assistance programs are strengthened to include subsidies on hospitalization and medical procedures for OFWs and qualified dependents.

SEC. 10. Referral System. – The DMW shall establish a referral system with the OFW Hospital and OFW Care Centers to ensure proper delivery of services to qualified overseas Filipino workers and their dependents.

SEC. 11. Joint Executive Oversight Committee. – There is hereby created a Joint Executive Oversight Committee to review the implementation of this Act and hospital development plans for the OFW Hospital and OFW Care Centers nationwide.

The Committee shall be co-chaired by the Secretary of Health and the Secretary of Migrant Workers.

The Committee shall be composed of seven (7) members including its co-chairpersons. The five (5) members shall be appointed by the Secretary of Health, in consultation with the Secretary of Migrant Workers, from the following stakeholders: representatives of the OFWs, their families or organizations, and the doctors and patients in the OFW Hospital. The Committee Members shall be entitled to per diem allowances.

SEC. 12. Tax Exemption. – All grants, bequests, endowments, donations, and contributions made to the OFW Hospital to be used actually, directly, and exclusively by the OFW Hospital shall be exempt from donor's tax and the same shall be considered as allowable deduction from the gross income of the donor, in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

The importation of equipment, machinery and spare parts which are used solely and exclusively for the operation of the OFW Hospital and are not available locally shall be exempt from value-added tax and customs duty.

SEC. 13. Coordination with and Assistance from Other Government Agencies. – The DOH shall collaborate with the DMW in the development of the programs and services of the OFW Hospital. It may likewise call upon any department, bureau, office, agency, or instrumentality of the government for assistance, in the pursuit of the purposes and objectives of this Act.

SEC. 14. Appropriations. – The Secretary of Health shall include in the Department's program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act. The OWWA shall also include in its benefits and medical assistance programs for OFWs the line item budget necessary to improve the access of OFWs and dependents to health care services.

SEC. 15. Implementing Rules and Regulations. – Within sixty (60) days from the approval of this Act, the DOH, in coordination with the DMW, OWWA, and other stakeholders, shall promulgate the implementing rules and regulations (IRR) to carry out the provisions of this Act.

SEC. 16. Separability Clause. – If any provision of this Act is held invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SEC. 17. 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.

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

Approved.