

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5874

Introduced by Representative Joseph Gilbert F. Violago



EXPLANATORY NOTE

According to a recent study, coronary artery disease is the leading cause of death for Filipinos, accounting for about 32% of all Filipino deaths.¹ Based on a PSA report released on February 22, 2022, 125,913 or 17.9 percent of the total deaths from January to November 2021 died of ischemic heart disease followed by cerebrovascular disease (68,180 or 9.7 percent). While Covid-19 was the third leading cause of death with 67,494 (9.6 percent) deceased Filipinos.²

Meanwhile, according to the National Kidney Transplant Institute (NKTi) one Filipino develops chronic kidney disease every 40 minutes or equivalent to 36 Filipinos getting the renal disease each day.³ In 2021, more than 7 million Filipinos suffer from CKD. In 2020 kidney failure ranks as the 10th leading cause of mortality in the Philippines and is one of the leading causes of hospitalization.⁴

The 1987 Constitution provides that the State shall protect and promote the right to health of the people and instill health consciousness among them. (Sec. 15, Art. II) Likewise, the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged sick, elderly, disabled, women, and children. Finally, the State shall endeavor to provide free medical care to paupers. (Sec. 11, Art. XIII)

Therefore, the proposed measure aims to establish a specialized heart and kidney center in the Province of Nueva Ecija, located in San Jose City, to provide urgent and necessary medical care to millions of people living in the province and neighboring localities. This is to ensure that quality, affordable, and excellent specialized care in the treatment of cardiovascular and kidney diseases is accessible to all.

Among the purposes and objectives of the institution are as follows: to promote, encourage, and engage in medical and scientific research relative to the prevention and

¹ Cacciata, Marysol et al. "Health determinants and risk factors for coronary artery disease among older Filipinos in rural communities". *Eur J Cardiovasc Nurs*. 2021 Aug; 20(6): 565–571. Published online 2021 Jan 31.

² *Ibid*.

³ De Villa, Kathleen. "Chronic kidney disease: 1 Filipino develops it every 40 minutes." *Inquirer.net*. 25 June 2022. < <https://newsinfo.inquirer.net/1616181/chronic-kidney-disease-1-filipino-develops-it-every-40-minutes> >

⁴ Que, Cheshire. "Kidney health for all". *Manila Bulletin*. 08 March 2022. Web. Accessed on 24 October 2022. <<https://mb.com.ph/2022/03/08/kidney-health-for-all/>>

treatment of cardio-vascular and kidney diseases; to encourage and/or undertake the training of physicians, nurses, and health professionals on the practical and scientific conduct and implementation of kidney and cardiac services; and to assist universities, hospitals and research institutions in their studies on heart, kidney, and allied diseases and other related fields, to encourage and grant scholarships for advanced training and specialization in related fields, and to support educational programs of value to general public health.

In view of the foregoing, the urgent passage of this measure is sought.



JOSEPH GILBERT F. VIOLAGO

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AN ACT
ESTABLISHING THE SAN JOSE CITY HEART AND KIDNEY CENTER, AND
APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Declaration of Policy.* – It is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them. The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. Towards this end, the State shall ensure the accessibility of medical services and the availability of specialized healthcare to the people in the Province of Nueva Ecija and neighboring areas.

SECTION 2. *San Jose City Heart and Kidney Center.* – There shall be established and maintained, under the direct control and supervision of the Department of Health, a Heart and Kidney Center in San Jose City, in the Province of Nueva Ecija, to be known as the “San Jose City Heart and Kidney Center” hereinafter referred to as the Center.

SECTION 3. *Board of Trustees.* – The Center shall be administered by a Board of Trustees, composed of seven (7) members, to be appointed by the President of the Philippines, who shall serve with the term of three (3) years. The Director of the Center shall be appointed by the Board of Trustees.

Any vacancy in the Board shall be filled by appointment by the President of the Philippines, and the appointee shall serve for the unexpired term. The Board of Trustees of the Center shall elect a Chairman from among themselves, who shall be presiding officer of the Board of Trustees.

The Director of the Center shall serve as Vice-Chairman of the Board. The Director shall act as the chief executive officer of the Center, with authority, among others, to appoint, remove, and fix the compensation of the personnel thereof, subject to the approval of the Board of Trustees.

Four (4) members of the Board of Trustees shall constitute a quorum to transact business and any decision of such four members on any matter duly presented to the Board of Trustees shall constitute a valid and binding act of the Center.

SECTION 4. *Government Contributions.* – The Government shall constitute the necessary land, building, equipment and facilities, to the Center, and shall pay such obligations for real, personal and mixed properties arising from such undertaking under a deferred payment arrangement within five (5) years, at a preferred rate of interest.

SECTION 5. *Property of the Center.* – The Property of the Center shall consist of such real, personal, mixed, and other type of property, now owned or reserved for, or may hereafter be given, donated, acquired, transferred or conveyed to, the Center by the Philippine Government, its branches and instrumentalities, any foreign government, as well as by trust, foundations, corporations, or persons, alien or domestic, in order to carry out its purposes and objectives as set forth herein.

SECTION 6. *Purposes and Objectives.* – The purposes and objectives of the Center are:

- a. To construct, establish, operate and maintain a heart and kidney center for the public welfare, including a specialized heart and kidney hospital;
- b. To promote, encourage, and engage in medical and scientific research relative to the prevention and treatment of cardio-vascular and kidney diseases and the care and/or treatment of heart and kidney patients and related activities, including sponsorship and conduct of relevant congresses, conventions, seminars, and conferences;
- c. To stimulate and/or underwrite scientific research on the biological, demographic, social, economic, eugenic, physiological aspects of kidney and cardio-vascular disorders and abnormalities and their control; and gather, compile, and publish the findings of such research for public dissemination in coordination with the National Kidney and Transplant Institute and the Philippine Heart Center;
- d. To encourage and/or undertake the training of physicians, nurses, medical technicians, health officers and social workers on the practical and scientific conduct and implementation of kidney and cardiac services, and related activities;
- e. To assist universities, hospitals and research institutions in their studies on heart, kidney, and allied diseases and other related fields, to encourage and grant scholarships for advanced training and specialization in related fields, and to support educational programs of value to general public health;
- f. To encourage the formation of other organization on the national, provincial, city, municipal or barangay level and to coordinate their various efforts and activities for the purpose of achieving a more effective programmatic approach on the common problems relative to the objectives herein enumerated; and
- g. To extend medical and cardiological services to the general public, to help prevent, relieve or alleviate the innumerable kidney and cardiovascular afflictions and maladies of the people specially the poor and less fortunate in life, without regard to race, creed, color or political belief.

SECTION 7. *Powers.* – For the attainment and/or furtherance of the above purposes and objectives, the Center, as a body corporate, acting through its Board of Trustees, shall have all the powers pertaining to a juridical person, and is therefore authorized, among other things:

- a. To acquire and hold in any property of whatever nature or description, and to dispose of such property under any mode of encumbrance or conveyance;
- b. To contract and be contracted with;
- c. To mortgage, lease, sell, transfer, convey or otherwise dispose of its properties;
- d. To solicit and receive donations, endowments and funds in the form of contributions, whether in cash or in kind, from both the public and private sectors;

- e. To open such accounts in banks and other financial institutions, and to disburse such funds or invest the same as the Board may direct to accomplish or advance the purposes or interest of the Center;
- f. To invite foreign heart specialists and similar experts in the various medical fields to train the personnel or trainees or residents of the Center;
- g. To send the personnel of the Center to research institutes, medical institutes or universities for advance training or observation and to attend international or regional conventions, conferences, congresses, seminars as the Board may deem necessary to accomplish the purposes and objectives of the Center;
- h. To adopt a set of by-laws, rules and regulations not inconsistent with law and the provisions hereof to govern the administration and operation of the affairs of the Center; and
- i. To do all such other acts and things as are or may be necessary or incidental for the accomplishment of the purposes and objectives of the Center.

SECTION 8. *Tax Exemptions.* – All donations, contributions or endowments which may be made by entities or persons to the Center shall be exempt from income and gift taxes, and the same shall be further deductible in full for purposes of computing the maximum amount deductible under the National Internal Revenue Code, as amended.

The Center shall be exempt from the payment of all taxes, charges and fees imposed by the Government or any political subdivision or instrumentality thereof.

All income earned by both Filipino and foreigner doctors who shall use the facilities of the Center shall be tax exempt for a period of five (5) years from the date of issuance hereof.

SECTION 9. *Assistance from government offices.* – The Center may call upon any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in the pursuit of its purposes and objectives.

All individuals, entities and institutions are hereby enjoined to render full assistance and corporation to the Center in the accomplishment of its objectives and activities.

SECTION 10. *Appropriations.* – The amount of Five Hundred Million Pesos (Php500,000,000.00) is hereby appropriated as contribution of the National Government for the initial operations and maintenance of the Center.

Thereafter, the necessary amount to support the continued operation and maintenance of the Center shall be appropriated and released, subject to the approval of the President of the Philippines.

SECTION 11. *Auditing.* – The books and accounts of the Center shall be subject to periodic auditing by the Commission on Audit.

SECTION 12. *Annual Report.* – The Center shall render to the President of the Philippines an annual report of its activities and recommendations.

SECTION 13. *Effect of Dissolution of the Center.* – If, for any reason, the Center is dissolved, its property remaining at the time of such dissolution shall revert to the Philippine Government for disposition in accordance with law.

SECTION 14. *Separability Clause.* – If any provision or part of this Act is declared unconstitutional or invalid, the remaining parts or provisions not affected shall remain in full force and effect.

SECTION 15. *Repealing Clause.* – All laws, decrees, executive orders, presidential issuances and other administrative rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SECTION 16. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette, or in a newspaper of general circulation.

Approved,