

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6164

Introduced by Representative Joseph Gilbert F. Violago

EXPLANATORY NOTE

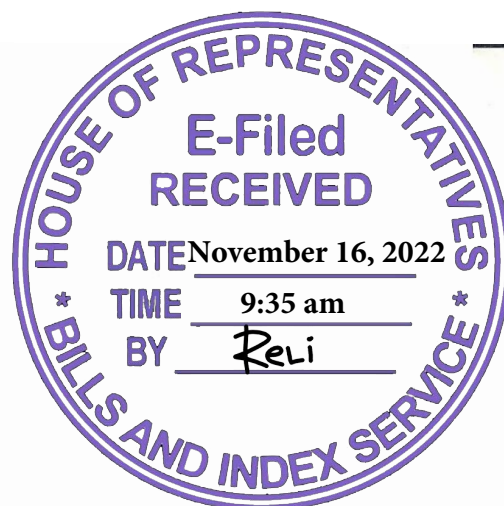
According to the 1987 Constitution, the State shall protect and promote the right to health of the people and instill health consciousness among them. (Art. II, Sec. 15) The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. (Art. XIII, Sec. 11)

From January 2022 to February 2022, Diabetes Mellitus was the 4th leading cause of mortality in the country.¹ It is a disease caused by several factors such as genetics, family history and lifestyle choices such as physical inactivity, obesity, smoking, and improper diet. It is called a silent killer because those with Type 2 Diabetes have no symptoms at first. It is therefore a national concern to address this health issue among the populace.

Therefore, the proposed measure seeks to establish the Philippine Center for Diabetes and Endocrinology which shall be the lead tertiary-level care center in the screening, prevention, diagnosis, and treatment of diabetes. The PDCE shall ensure that available and quality health services for diabetes and endocrinology shall be available to all. It shall likewise focus on research and education and training, with the aim of alleviating the cases of the disease in the country. Among its envisioned powers and functions include: the conduct of a nationwide screening and diagnosis of diabetes, obesity, and the components of the metabolic syndrome; the establishment of integrated medical institutions to cater to the treatment of diabetes and endocrinal problems; and the promotion of medical and scientific research for the prevention and treatment of diabetes and other endocrine diseases.

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https://psa.gov.ph/sites/default/files/attachments/crd/pressrelease/1_Press%20Release_2022%20Cause%20of%20Death%20Statistics%20as%20of%2031%20March%202022_VSD%20Draft_JRV_CRD_rev_VSD%20updated_JRV_CRD_clean%20file-signed.pdf



This commendable bill had been filed in the 17th Congress by Rep. Alfred Vargas, and Rep. Luis Raymund Villafuerte Jr., among others, as principal authors. The same had been filed in the 18th Congress and the present proponent is acknowledging the wisdom and hard work of his predecessors.

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


JOSEPH GILBERT F. VIOLAGO

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AN ACT
ESTABLISHING THE PHILIPPINE CENTER FOR DIABETES AND
ENDOCRINOLOGY AND FOR OTHER PURPOSES

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

SECTION 1. *Declaration of State 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 by providing specialized health services and research, education, and training facility responsive to the country's health needs and problems.

Hence, it is the primary concern of the government to assist and provide material and financial assistance in the establishment of a specialty hospital for Filipinos suffering from diabetes and promote diabetes care, prevention, and cure all over the country.

SECTION 2. *Creation of the Philippine Center for Diabetes and Endocrinology.* – There is hereby created a body corporate to be known as the Philippine Center for Diabetes and Endocrinology (PCDE), under the Department of Health (DOH), which shall serve as the lead tertiary-level care center in the screening, prevention, diagnosis, and treatment of diabetes.

The PCDE shall have its principal office in Metro Manila, and may have such branch offices, hospitals, clinics, or subsidiaries in Visayas and Mindanao and other areas in the Philippines, as it may deem proper and necessary.

Section 3. *Purpose and Objectives.* – The PCDE shall have the following purposes and objectives:

- a) To construct, establish, equip, maintain, administer, and operate such integrated medical institutions which shall provide an organized system of care, comprehensive and optimal treatment for patients with diabetes and other endocrine problems;

- b) To conduct nationwide screening and diagnosis of diabetes, obesity, and the components of the metabolic syndrome;
- c) To promote, encourage and engage in medical and scientific research on the prevention and treatment of diabetes and other endocrine diseases and gather, compile, and publish the findings of such research for public dissemination;
- d) To encourage, undertake and assist conferences, fora, conventions, seminars, workshops and training programs for physicians, nurses, health officers, medical technologists, social workers, and medical and technical personnel on the practical and scientific implementation of health care services to diabetic patients;
- e) To assist universities, hospitals, and research institutions in their studies on diabetes and other endocrine diseases and other related fields, to encourage and grant scholarships for advanced training and specialization in medical care and management in diabetes and related fields and to support and finance educational programs of value to public health;
- f) To encourage the formation of other organizations at the national provincial, city and/or local levels, and to coordinate the various efforts and activities of such organizations for the purpose of achieving a more effective approach to the common problem relative to the purposes and objectives enumerated herein; and
- g) To encourage telemedicine by establishing networks through Internet facilities to link physicians at the local level or barrio doctors to specialists who can provide inputs to care of diabetic patients, especially in underserved areas, with due regard to the requirements of the Data Privacy Act of 2012.

SECTION 4. Powers and Functions. – For the attainment and/or furtherance of the purposes and objectives of this Act, the PCDE as a body corporate acting through its Board of Trustees, shall have the following powers and functions in addition to those provided for in the other sections of this Act:

- a) To acquire, own, hold, use, lease, grant, mortgage, pledge, sell, assign, convey, transfer, exchange, dispose or otherwise deal with, real and/or personal properties of every kind and nature, including shares of stock, bonds, debentures, notes, securities and other evidence of indebtedness or obligations of other corporations, whether domestic or foreign, and whether government or private;
- b) 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;
- c) To award, enter, make, execute, perform, and carry out domestic or foreign contracts of whatever kind and nature;

- d) To open 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 PCDE, and to obtain loans, borrow funds and/or arrange financing or credit assistance of whatever kind and nature from all sources, whether domestic or foreign and whether government or private;
- e) To levy, assess, and collect such fees, charges and assessments as may be necessary or proper to support, finance and maintain its operations;
- f) To invite diabetes specialists and similar experts in various medical fields to train the personnel, trainees, or residents of the PCDE and to support the trainings, seminars, conferences, and conventions of its medical personnel in research and medical institutes or universities, be it local or international, as the Board may deem necessary and in line with the principles of the Philippine Qualifications Framework (PQF), to accomplish the purposes and objectives of the PCDE;
- g) To adopt and use a corporate seal;
- h) To sue and be sued in its corporate name;
- i) To adopt its by-laws, rules, and regulations not inconsistent with law or the provisions hereof to govern the administration and operation of the affairs of the PCDE; and
- j) To exercise such other powers and functions as may be necessary, related, or incidental to carry out the purposes and objectives of this Act.

SECTION 5. *The Board of Trustees; Composition; Term and Compensation.* – The PCDE shall be governed, and its activities and properties shall be directed, controlled, and managed by a Board of Trustees, hereinafter referred to as the Board, which shall be composed of a Chairperson and six (6) members, all of whom shall be appointed by the President of the Philippines.

At least one (1) member shall come from the Philippine Society of Endocrinology, Diabetes and Metabolism (PSEM) and at least one (1) from the academe. The Chairman of the PCDE shall be appointed from among the members of the Board.

All the members of the Board shall serve for a term of three (3) years, with a right to hold-over such position until their respective successors shall have been duly appointed and qualified. The President of the Philippines may, however, remove any member of the Board for cause. Whenever a vacancy shall occur in the Board, the person appointed to fill the vacancy shall hold office for the unexpired term of the member replaced.

All members of the Board shall receive compensation in accordance with current standards set by the Department of Budget and Management (DBM) and as may be determined by the DOH.

SECTION 6. *Powers and Functions of the Board.* – The Board shall have the following powers and functions:

- a) To formulate policies, guidelines, and programs to effectively implement and carry out the purposes and objectives of this Act;
- b) To prescribe, review, and revise the amount of the fees, charges, and assessments levied and collected for the support and maintenance of the operations of the PCDE;
- c) To control the management, operation, and administration of PCDE;
- d) To promulgate such rules and regulations as may be necessary or proper for the effective exercise of power and functions as well as the discharge of the duties and responsibilities of the PCDE and its officers and employees;
- e) To authorize such expenditures of the PCDE as may be necessary or proper for the effective management, operation, and administration of the PCDE;
- f) To adopt the annual and supplemental budget of receipts and expenditures of the PCDE; and
- g) To appoint, remove, suspend, or otherwise discipline the officers.

SECTION 7. *Officers of the PCDE.* – The Board shall determine the officers of the PCDE who shall be appointed by the President of the PCDE subject to confirmation by the Board. The PCDE may have an Executive Vice-President and such Vice-Presidents and Assistant Vice-Presidents as may be required for the effective operation of the PCDE.

SECTION 8. *The President, His Term and Remuneration.* – The President of the PCDE shall be appointed by the President of the Philippines for a term of three (3) years. The salary of the President of the PCDE shall be fixed by the Board, subject to the approval of the President of the Philippines.

SECTION 9. *Powers and Duties of the President.* – The President of the PCDE shall be the Chief Executive Officer of the PCDE. He shall exercise the following powers and duties;

- a) To execute the policies, guidelines, and programs approved by the Board, and to be responsible for the efficient discharge of management and operational functions;
- b) To submit for the consideration and approval of the Board proposed measures, policies, guidelines, and programs as he/she may deem necessary

or proper for the effective implementation of the purposes and objectives of this Act;

- c) To direct and supervise the management, operation, and administration of the PCDE. For this purpose, he/she may delegate any or some of his/her administrative responsibilities and duties to the other officers of the PCDE;
- d) To execute, on behalf of the PCDE, all contracts and agreements which the PCDE may enter into, and to execute, accomplish and deliver any and all documents relative to such contracts and agreements;
- e) To represent the PCDE in all dealings with other offices, agencies and instrumentalities of the Government, and all other persons or entities, whether domestic or foreign, government or private;
- f) To appoint, promote, transfer, remove, suspend, or otherwise discipline the officers and employees of the PCDE, except those appointed by the Board; and
- g) To exercise such other powers and perform such duties as may be vested or reposed upon him by the Board.

SECTION 10. *Assistance from the Government.* – The PCDE may call upon any department, bureau, office, agency, or instrumentality of the Government, including government-owned or controlled corporations, local government units, and state universities and colleges for assistance as it may need in pursuit of the purposes and objectives of this Act.

SECTION 11. *Authority of the President in Case of Emergencies.* – In case of emergencies which require immediate action by the Board, and there is no sufficient time to call a meeting thereof, the President of the PCDE, with the concurrence of three (3) other members of the Board, may decide on any matter or take any action within the authority of the Board itself.

SECTION 12. *Donations to the PCDE.* – The PCDE is hereby authorized to solicit and receive donations, grants, contributions, gifts, or endowments from all sources whether foreign or domestic, and whether government or private, without the need of securing a permit, approval, or registration from any government agency.

SECTION 13. *Exemption from Fees, Duties and Taxes.* – The PCDE is hereby declared exempt from all income and other internal revenue taxes, tariff and customs duties, and all other kinds of taxes, fees, charges, and assessments levied by the Government and its political subdivisions, agencies, and instrumentalities. Notwithstanding any provision of law to the contrary, all donations, grants, contributions, gifts, or endowments made by entities or persons to the PCDE 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 of 1997, as amended.

SECTION 14. *Appropriations.* – The amount of Ten Billion Pesos (Php10,000,000,000.00) is hereby appropriated from the revenues Philippine Amusement and Gaming Corporation (PAGCOR) to defray the initial operational expenses of the PCDE. Thereafter, the necessary amount to support the continued operation and maintenance of the PCDE shall be included in the General Appropriations Act.

SECTION 15. *Annual Report.* – The PCDE, through its President, shall submit an annual report on its accomplishments and activities to the President and both houses of Congress on or before April 30 of each year.

SECTION 16. *Applicability of the Corporation Law.* – The provisions of the general corporation law, insofar as they are not inconsistent with the provisions of this Act and with the purposes and objectives for which the PCDE is formed, shall apply suppletorily in the corporate governance affairs of the PCDE.

SECTION 17. *Implementing Rules and Regulations.* – Within sixty (60) days from the date of the effectivity of this Act, the DOH, in close coordination with the Department of Science and Technology, National Economic Development Authority (NEDA), University of the Philippines-Philippine General Hospital (UP-PGH), and other stakeholders such as the Philippine Society of Endocrinology and Metabolism (PSEM), shall promulgate the rules and regulations for the effective and faithful implementation of this Act.

SECTION 18. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall remain in full force and effect.

SECTION 19. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,