



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH (19th) CONGRESS
First Regular Session

House Bill No. 7448



Introduced by: Hon. Ma. Victoria Co - Pilar

EXPLANATORY NOTE

Honor your father and your mother, so that you may live long in the land the Lord your God is giving you (Exodus 20:12)

Article XV Section 4 of the 1987 Constitution states that: The family has the duty to care for its elderly members, but the State may also do so through programs of social security. The state has thereby created mechanisms to support our elderly through economic considerations through pension coverages whether social, earnings related thru years of employment. We have also honored our seniors with RA 9994 or the Expanded Senior Citizens Act of 2010 that entails VAT exemptions, subsidies, and discounts to ease their daily subsistence.

According to the World Health Organization, 1 in 6 people 60 years and older experienced some form of abuse in community settings during the time of the pandemic. The global population dictates a doubling from 900 million in 2015 to about 2 billion in 2050. The Philippines' senior population; In 2021, has breached 10 million, according to the Commission on Population and Development. As the population multiplies, so will the incidence of elder abuse.

The 17th, 18th and the 19th Congress has produced bills that penalizes the abandonment and neglect of the elderly. We believe that fear of punishment is does not entail the total solution to the increasing number of abused, abandoned, and neglected elderly. Thereby, this bill promotes and proposes a framework that encourages volunteers, other seniors, non-government organizations, private

organizations, and others to exercise our culturally developed and nurtured trait to honor, respect as well as care for our senior citizens.

Put forth before us is a bill that proposes to resolve hidden elder abuse as an unspoken issue in society. This, similar to wife beating, incest, and child abuse; these problems are kept within the confines of the domestic spheres. These issues remain unreported, poorly addressed by public policy, and often overlooked by health professionals. The objective of this bill is to provide mechanisms to further extend the powers of the state to gather pertinent members of society to be part of the care of neglected and abandoned seniors. Community mobilizations, co-elders who can carry out the prevention of any form of abuse, whether physical, psychological, and emotional abuse for financial or material exploitation, medical maltreatment or even sexual exploitation of the vulnerable elderly has the right and privilege to defend and protect who are unable to defend and protect themselves.

Proverbs 31:9-9 says: Speak up for those who cannot speak for themselves, for the rights of all who are destitute. Speak up and judge fairly: defend the rights of the poor and needy.

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



HON. MA. VICTORIA CO-PILAR
Representative
6th District, Quezon City



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AN ACT
PROVIDING FOR A NATIONAL FRAMEWORK FOR SENIOR CITIZEN
CARE OF 2023 AND APPROPRIATING FUNDS THEREFOR

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

3 SECTION 1. *Short Title* - This Act shall be known as the "Senior Citizen
4 Care Act of 2023"

5
6 CHAPTER I
7 INTRODUCTORY PROVISIONS
8

9 SECTION 2. *Declaration of Policy*
10

11 Pursuant to Article XIII Section 11 of the Constitution, the State shall adopt
12 an integrated and comprehensive approach to health development which shall
13 endeavor to make essential goods, health, and other social services available to
14 all the people at affordable cost. There shall be priority for the needs of the

1 underprivileged sick, elderly, disabled, women, and children. The State shall
2 endeavor to provide free medical care to paupers.

3
4 Further, Article XV Section 4 states that the Family has the duty to care for
5 its elderly members but the State may also do so through just programs of social
6 security;

7
8 Furthermore, Republic Act No. 7876 or the Senior Citizen Center Act of the
9 Philippines mandates the establishment of senior citizens centers in all cities and
10 municipalities under the direct supervision of the Department of Social Welfare
11 and Development (DSWD) in coordination with the local government units
12 (LGUs) concerned to cater to older persons' socialization and interaction needs as
13 well as to serve as venue for the conduct of other meaningful activities.

14
15 In accomplishing the noble objectives, this Act also encourages the
16 national or local governments to seek the participation of private sectors through
17 Public Private Partnership (PPP).

18
19 Towards this end, the state shall institutionalize a national senior citizen
20 care framework that will focus and ensure the rights and care for the senior
21 citizens.

22
23 **SECTION 3. *Definition of Terms*** – As used in this Act, the following terms
24 are defined as follows:

25
26 a. Home Care Volunteer – a non-salaried trained and registered member
27 of the LGU who serves and is willing and interested to commit time,
28 resources and talent to care for the sick, frail, disabled and bedridden
29 senior citizen in the community.

30
31 b. Coordinator – The volunteer focal person in the community where the
32 Home Care Support Services is implemented. He / She maybe a
33 member of the organization of senior citizens and oversees the

1 implementation at the barangay level and reports to the LGU social
2 worker on the project implementation.

3
4 c. Family Carer – is an immediate family member of the senior citizen ,
5 who voluntarily looks after the sick, frail and / or bedridden senior
6 citizen (i.e son / daughter / spouse of the senior citizen).

7
8 d. Kinship Carer – is a relative of the senior citizen in need of assistance
9 due to physical and mental disability who takes care of him / her but
10 lives in a separate house.

11
12 e. Project Advisory Committee – in an interagency committee involved in
13 the implementation of the home care. It will be organized at the
14 different levels (Municipality / City / Regional / and National). They
15 will be in charge of providing technical assistance and monitoring /
16 evaluating the implementation of the Home Care Support Services.

17
18 f. Senior Citizen refers to any Filipino citizen who is a resident, and who
19 is sixty (60) years old or above.

20
21 g. Abandoned Senior Citizen – refers to a senior citizen who has no
22 means of meeting basic needs, whose family has deserted him / her,
23 hence appropriate care, protection and support are not met.

24
25 h. Neglected Senior Citizen – Refers to a senior citizen whose basic needs
26 for survival have been deliberately unattended or inadequately
27 attended to by his / her family.

28
29 i. Frail Senior Citizen – refer to people aged 60 and above who are unable
30 to care for themselves or unable to perform activities of daily living
31 due to an illness, physical and or mental disability.

- 1 j. Homeless Senior Citizen – refers to a senior citizen who has been
2 deserted, permanently or temporarily, by his or her relatives or
3 persons who have general legal responsibility over the senior citizen,
4 and / or from whom all basic care has been withdrawn, whether
5 willfully or not which has no basic shelter.
6
- 7 k. Indigent Senior Citizens – refers to any elderly who is frail, sickly or
8 with disability, and without pension or permanent source of income,
9 compensation or financial assistance from his / her relatives to support
10 his / her basic needs as determined by the Department of Social
11 Welfare and Development (DSWD) in consultation with the National
12 Coordinating and Monitoring Board.
13
- 14 l. Nursing Home – refers to a home for the aged, established and
15 maintained under this Act by a private entity, city or municipality
16 which provides living accommodations, food and clothing, medical
17 and health care, and recreational and social interaction activities for
18 abandoned senior citizens or homeless senior citizens;
19
- 20 m. Social Preparation – activities that would initiate interest and
21 participation among concerned entities at different levels – provincial,
22 city, municipal, barangay as well as other government organizations,
23 non-government organizations, civic and faith based groups, and
24 academe to generate commitment and involvement in the
25 implementation of this act.
26
- 27 n. Capacity Building Activities – conduct of trainings, skills enhancement
28 on the care and management of senior citizens, team building activities
29 as well as value formation sessions to families, community volunteers
30 and service providers.
31
- 32 o. Helping Plan – pertains to the formulated by a volunteer together with
33 the senior citizen beneficiary, his / her family who will be encouraged

1 to participate in all phases of activities, i.e. assessment, planning
2 implementation of helping plans, monitoring and evaluation of the
3 activities of the senior citizen beneficiary.
4

5 p. Geriatrics – refer to a branch of medical science devoted to the study of
6 the biological and physical changes and the diseases of old age.
7

8 q. Nearest Surviving Relative – refers to spouse, legal or common law,
9 who survives the deceased senior citizen: In the event that there is no
10 surviving spouse, this shall be limited to relatives in the following
11 order of degree of kinship: children, parents, siblings, grandparents,
12 grandchildren uncles and aunts.
13

14 r. Home health care service – refers to health or supportive care provided
15 to the senior citizen patient at home by licensed health care
16 professionals to include, but not limited to, physicians, nurses,
17 midwives, physical therapist and caregivers
18

19 s. Respite Services – the provision of relief to the family whether be it
20 coming from a volunteer from the demands of their roles as carers by
21 providing temporary care and support services in caring of the senior
22 citizens
23

24 t. Abuse – refers to any willful and unjustified act that may cause any type
25 of harm to a senior citizen
26

27 u. Neglect – when basic needs of the senior citizen have been deliberately
28 unattended or inadequately attended or when he or she is ill clad,
29 without proper shelter and left by himself or herself without provisions
30 for his or her needs
31

32 v. Exploitation – refers to an act committed by any person to take
33 advantage of a senior citizen for their personal gain

1
2 **SECTION 4.** *Construction* – This Act shall be liberally construed to
3 promote the physical, mental, emotional and social well-being of the
4 senior citizens as well as to ensure their protection and safety.
5

6 **CHAPTER II**
7 **FRAMEWORK FOR SENIOR CITIZEN CARE**
8

9 **SECTION 5.** *Senior Citizen Care Considerations.* – care as categorized in the
10 succeeding section shall be determined in a manner that promotes the policies
11 and principles defined in Section 2 of the Act and shall consider the following
12 elements of the framework therefor, among others without prejudice to the
13 current traditional and societal concepts of kinship and culture:
14

- 15 a. Protection of the rights and privileges of senior citizens as mandated
16 by RA 9994 or the Expanded Senior Citizens Act of 2010
17 b. Training and furtherance of the family centered care that will entail
18 capacity building for the enhancement of the care of senior citizens.
19 This may be endeavored by government entities and non-government
20 organizations as set forth by guidelines, rules and regulations as
21 provided and will emanate from Section 2 of this Act. This too shall be
22 an instrument for the prevention of abandonment and neglect of senior
23 citizens in general.
24 c. Introduce a community based care approach for the care of abandoned,
25 neglected, frail, homeless and indigent senior citizens, providing
26 chances for community volunteers that will come from all possible
27 sectors that may create programs and projects that is monitored and
28 observed by the pertinent government organizations or non-
29 government organizations sanctioned or within the bounds of the rules
30 and regulations as provided by this Act.
31 d. Mobilize volunteers or any community member who are interested
32 and willing to be trained and share their time and talent in caregiving
33 who can teach personal care, provide social support and

1 companionship and assist accessing services from government and
2 non-government organizations who can best respond to their needs.

- 3 e. Respect of existing customary rights and traditions of Indigenous
4 Cultural Communities / Indigenous Peoples and Religious beliefs in
5 the furtherance of the said care framework.

7 CHAPTER III

8 HOME AND COMMUNITY CARE APPROACH

9
10 SECTION 6. **SENIOR CITIZEN CARE PROGRAM** – The Department of
11 Social Welfare and Development shall hereby create a national program for the
12 furtherance of home care support services for senior citizens.

13
14 The program shall provide social preparation across all sectors and target
15 communities to enhance interest in home and community care approach. The
16 DSWD shall conduct trainings, skills enhancement on the care and management
17 of senior citizens, team building activities as well as value formation sessions to
18 families, community volunteers and service providers through the local
19 government units and DSWD field offices.

20
21 The Local Government Units and its pertinent instrumentalities shall be
22 involved in the identification of the marginalized senior citizens or senior citizens
23 in crisis as may be reported through and by the instrumentalities of the LGUs.

24
25 The program shall provide intervention based on a helping plan which
26 focuses on the assessment and enhancement of Home Care, Respite Services,
27 Physical Fitness Program, Kinship Care, Palliative Care and Spiritual Services.
28 DSWD shall provide the LGU with technical assistance through coaching,
29 program monitoring, mentoring and skills enhancement including all interested
30 parties and volunteers that may be formed as a result of this Act.

1 SECTION 7. *Lead Agencies* – The DSWD and the National Commission of
2 Senior Citizens (NCSC) shall serve as the joint central planning, coordinating,
3 implementing, and monitoring body of the Program.

4
5 In the implementation of this Act, the DSWD shall perform the following
6 functions:

- 7 a. Screen, verify, and assess the beneficiaries' situation and identify the
8 appropriate intervention to fully serve their situation;
- 9 b. Provide family based care programs to equip and educate families on
10 how to care for the beneficiaries as stated in Section 4 of this Act;
- 11 c. Provide community based care programs to help willing communities
12 organize themselves to provide home care services, respite services,
13 palliative care services;
- 14 d. Provide trainings to community and family care volunteers to equip
15 and educate on matters of Home Care, Respite Services, Physical
16 Fitness Program, Kinship Care, Palliative Care and Spiritual Services;
- 17 e. Develop a Helping Plan that will be suitable to the needs of the
18 primary and secondary beneficiaries with respect to ethnicity, religious
19 belief and Geriatric considerations;
- 20 f. Perform such other functions in harmony with the National
21 Commission for Senior Citizens as may be necessary or incidental to
22 the proper and effective implementation of this Act;

23
24 In the implementation of this Act, the National Commission of Senior
25 Citizens shall perform the following functions:

- 26
27 a. Create and maintain a central repository and database of senior
28 citizens that shall serve as the master list of all screened and verified
29 beneficiaries clustering them according to specific needs and program
30 intervention classification;
- 31 b. Coordinate with different national and local agencies, including
32 organizations from the private sector to ensure full implementation of
33 statutory commitments herein;

- 1 c. Perform such other functions in harmony with the Department of
2 Social Welfare and Development as may be necessary or incidental to
3 the proper implementation of this Act;
4

5 **SECTION 8. *Advisory Council*** – An advisory Council shall be created at
6 the regional and national levels to be co-chaired by the DSWD and the National
7 Commission for Senior Citizens.
8

9 The regional advisory councils and national advisory council shall
10 have as member representatives from the DSWD, Department of Health,
11 Department of Labor and Employment, Department of the Interior and Local
12 Government, Technical Education and Skills Development Authority and the
13 Department of Trade and Industry. The regional advisory councils and NAC
14 shall also have, as additional members two representatives from accredited non-
15 government organizations and the medical field working on monitoring social
16 welfare service programs.
17

18 The Advisory Councils shall have the following functions:
19

- 20 a. Meet regularly to promote coordination across agencies to enhance
21 the implementation of the program and jointly address and resolve
22 program implementation issues;
23 b. Recommend to the President, measures and policies for the
24 responsive delivery of the commitments under this Act and
25 integration with the general senior care and senior citizen benefits
26 strategy of the government;
27 c. Promulgate a grievance redress system and accept complaints and
28 grievances pertaining to the implementation of this Act;
29 d. Review the monitoring and assessment reports of the DSWD and
30 submit necessary policy recommendations to Congress to improve
31 and strengthen the program, if necessary.
32
33

1 CHAPTER IV

2 PRIMARY CARE AND CARE FACILITIES

3
4 SECTION 9. *Primary Care* – This Act recognizes the family as the
5 immediate carer of senior citizens. It is incumbent that the family provide care for
6 the senior citizen member of the family as customs and culture permits. The
7 DSWD shall hereby establish a program of reconnection for abandoned,
8 neglected, frail, abused and exploited senior citizens to the nearest surviving
9 relative, Provided that the said relative has the capacity and means to support
10 and provide for the senior citizen as deemed and certified by the DSWD.

11 DSWD shall provide technical and financial support to the nearest
12 surviving relative of the senior citizen thru the Assistance to Individuals in Crisis
13 Situations (AICS) at the onset of the reconnection.

14 DSWD and the local government units shall also monitor the situation and
15 conduct regular visitations to the senior citizens that has been reconnected with
16 their nearest surviving relatives for an ample amount of time as prescribed by the
17 implementing rules and regulations in pursuant to this Act.

18 The DSWD shall also provide a monthly pension for the subsistence of the
19 senior citizen as prescribed by and the Social Pension for Senior Citizens Program
20 of the DSWD and / or the Local Government
21

22 SECTION 10. *Establishment of Local Nursing Homes* – There shall be
23 established in every municipality and city, a nursing home to serve abandoned
24 and homeless senior citizens, to be built by the local government units concerned
25 and shall be and shall be jointly operated and maintained by the LGU and the
26 Department of Social Welfare and Development.
27

28 SECTION 11. *Community Care Facilities* – Communities, duly organized by
29 DSWD by virtue of this Act, may establish Community Care Facilities manned by
30 volunteers, Provided that the local government unit that prescribes territorial
31 jurisdiction to the community care facilities shall provide permanent staffing as
32 deemed necessary and as approved by the DSWD.
33

Volunteers to the community care facilities shall be trained by DSWD and / or TESDA to fulfill the provisions as set forth by the program to be created by this Act. Doctors and Allied Medical Professionals and Practitioners that volunteer to this community care facilities shall be entitled to a deduction for their gross income, equivalent to fifteen percent (15%) as calculated from the service fees that may be accrued in providing outmost decent and proper care for their beneficiaries.

Furthermore, Donors to the established community care facilities shall be exempted in the payment of Donors Tax.

SECTION 12. *Functions of Nursing Homes and Care Facilities* – The nursing homes shall provide homeless and abandoned senior citizens within its territorial jurisdiction institutionalized residential care programs and services such as but not limited to:

- a. Comfortable living quarters
- b. Adequate and Nutritious food
- c. Clothing
- d. Medical Consultation and Treatment
- e. Health Care
- f. Occupational Opportunities
- g. Recreational and Social Interaction Activities
- h. Counseling
- i. Case Conference
- j. Family Dialogue
- k. Outreach of Nearest Surviving Relative for Reintegration
- l. Literacy Education
- m. Productivity Development
- n. Religious, Cultural and Vocational Activities

SECTION 13. *Exemptions and General Benefits of a Local Nursing Home* – The established nursing home shall be exempted from the payment of customs

1 duties, taxes and tariffs on the importation of equipment and supplies used
2 actually, directly and exclusively by the nursing home in pursuant to this Act.

3
4 Furthermore, Donors to the established local nursing homes shall be
5 exempted in the payment of Donors Tax.

6
7 **SECTION 14. *Private Care Facilities*** – Private care facilities that shall accept
8 frail, indigent, homeless, neglected and abandoned senior citizens as certified by
9 the DSWD, upon the effectivity of this Act, shall be entitled to a deduction for
10 their gross income, equivalent to fifteen percent (15%) as calculated from the
11 service fees that may be accrued in providing outmost decent and proper care for
12 their beneficiaries: Provided, however, that such care shall continue for a
13 minimum period of five (5) years.

14 15 **CHAPTER V**

16 **ACTS OF ABANDONEMENT AND NEGLECT AND RELIEFS THERFOR**

17
18 **SECTION 15. *Acts of Abandonment or Neglect.*** – the following acts shall
19 constitute abandonment and neglect of senior citizens, to wit:

- 20
21 a. Abandonment or desertion by leaving a senior citizen unattended at a
22 place for such a considerable length of time, as may be likely to
23 endanger the health and welfare of a senior citizen, by an individual
24 who has assumed responsibility for providing care for the senior
25 citizen, or by a person with custody of a senior citizen;
26
27 b. To willfully neglect to provide food, medicines, shelter, clothing or
28 services necessary for the physical and mental health of a senior
29 citizen;

30
31 **SECTION 16. *Reliefsgranted to a Senior Citizen in cases of Abandonment and***
32 ***Neglect*** – the Senior Citizen may avail of the following reliefs in case of their
33 abandonment and neglect, to wit: --

- a. To attain legal services from the Public Attorney's Office or any public legal assistance office with the assistance of the local government and / or the DSWD to protect their rights and ineterets;
- b. To be entitled to support services from the DSWD and the Local Government Unit concerned including but not limited to:
 1. Counseling;
 2. Rehabilitative Care;
 3. Temporary Housing or Shelter as prescribed in Sections 11, 12, 13, 14 of this Act;
- c. To be entitled to any restitution, actual or compensatory, moral, nominal or temperate, and exemplary damages as may be applicable by law.

SECTION 17. *Response and Assistance* – in cases of reported and actual abandonment or neglect described in Section 15 of this Act, a barangay official or any law enforcer shall have the following rights and duties:

- a. Confiscate any harmful object discovered in plain view in the course of their response activity;
- b. Transport the victim to the nearest safe and adequate location for immediate medical or psychological exam done by a duly licensed medical professional;
- c. Assist the victim in the acquisition of personal belongings from the dwelling;
- d. Coordinate and report any and all pertinent acts stipulated the Section 15 of this Act and call the assistance of the local government unit, the DSWD and / or accredited non government organization

SECTION 18. *Treatment of Respondents* – the DSWD, shall provide counseling and rehabilitative care and treatment to respondents who abandoned

1 or neglected the senior citizen. Further, the DSWD shall introduce and provide a
2 program for their learning and mental reformation
3

4 **SECTION 19. Appropriations.** – The amount necessary for the initial
5 implementation of this Act shall be charged against the current year's
6 appropriation of the DSWD, DOH, DOLE, DILG, TESDA and DTI . Thereafter,
7 the amount needed for the continued implementation of this Act shall be
8 included in the budget of the said agencies in the annual General Appropriations
9 Act.

10 The Local Government Units shall secure the implementation of this Act
11 thru their respective internal revenue allotment. Furthermore, the departments
12 mentioned in the preceding paragraph may accept donations, contributions and
13 grants from various sources and shall be deemed exempted from Donors Tax as
14 prescribed by the National Internal Revenue Code of 1997.
15

16 **SECTION 20. Implementing Rules and Regulations** – Within one year, from
17 the Approval of this Act, the Secretary of the DSWD in coordination with the
18 Departments stipulated in the preceding section of this Act shall formulate rules
19 and guidelines as may be necessary for the proper implementation and
20 enforcement of this Act.
21

22 **SECTION 21. Separability Clause** – If any portion or provision of this Act is
23 held unconstitutional or invalid, the remaining provisions not affected thereby
24 shall continue to be in full force and effect.
25

26 **SECTION 22. Repealing Clause** – All laws, executive orders, proclamations,
27 rules, regulations and other issuances or parts thereof which are inconsistent
28 with the provisions of this Act are hereby repealed, amended or modified
29 accordingly.
30

31 **SECTION 23. Effectivity** – This Act shall take effect fifteen (15) days after
32 its publication in the Official Gazette or in a newspaper of general circulation.
33

Approved,