

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 8557



Introduced by Hon. Julianne L. Baronda

EXPLANATORY NOTE

Filipino nurses are among the best in the world and they've been hailed as "heroes" in the recent pandemic, but sadly, they are taken for granted and most of the time, they only receive a low salary. They also face many challenges and difficulties in their home country and are prone to abuse because of the current system in place. That is why it is appealing for some nurses to work and look for a job outside the country. Many of them choose to work abroad for better opportunities, higher pay, and more decent working conditions.¹

According to the Philippine Overseas Employment Administration (POEA), the Philippines has almost a million registered nurses, but only about 65,000 are employed in the local health sector. The rest are either unemployed, underemployed, or working in other fields. The low demand and supply of nurses in the Philippines is due to several factors, such as the lack of budget allocation for health, the poor quality of nursing education, the low salary and benefits, and the high workload and stress.

On the other hand, many foreign countries are facing a shortage of nurses and are willing to hire Filipino nurses who are known for their skills, professionalism, and compassion. Some of the most popular destinations for Filipino nurses are the United States, the United Kingdom, Canada, Australia, New Zealand, Saudi Arabia, and Singapore. These countries offer higher salaries, better benefits, more career advancement opportunities, and more respect and recognition for nurses.²

However, working abroad also entails some risks and challenges for Filipino nurses. They have to deal with cultural differences, language barriers, discrimination, homesickness, and family separation. They also have to comply with strict requirements and regulations of their host countries, such as passing licensure exams, obtaining visas and permits, and paying fees and taxes.

The Philippine government has also imposed a cap on the number of health professionals who can work abroad annually. The cap was initially set at 5,000 in 2020 to

¹https://www.pna.gov.ph/articles/1203521?__cf_chl_rt_tk=bAtwAMg1QR.ruzDthE.bheno7FFWRWY6qvUgo3Ty4oI-1686822160-0-gaNycGzNC6U

² <https://newsinfo.inquirer.net/1788628/filipino-nurses-best-in-the-world-but-decent-pay-work-elusive-in-ph#:~:text=MANILA%2C%20Philippines%E2%80%94The%20Philippines%20has,low%20pay%20and%20excessive%20work.>

address the shortage of health workers amid the COVID-19 pandemic. It was raised to 6,500 in 2021 after negotiations with some countries that requested more Filipino health workers³. However, this cap is still insufficient to meet the demand of Filipino nurses who want to work abroad. According to the Filipino Nurses United (FNU), there are more than 10,000 Filipino nurses who are waiting for their deployment abroad.

As of the end of 2021, over 310,000 of more than 910,000 registered nurses in the Philippines were working abroad⁴. As discussed, Filipino nurses working abroad are motivated by various factors that influence their decision to leave or stay in their home country. They contribute to the global health workforce and the Philippine economy through their remittances and skills transfer. However, they also face some challenges and difficulties that affect their well-being and integration. If we provide them today the opportunities and benefits that they deserve, it would really influence their decision to stay and work here in our country.

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



Rep. Julianne “Jam” L. Baronda
District Representative

³ <https://www.reuters.com/world/asia-pacific/philippines-raises-cap-health-professionals-going-abroad-2021-06-18/>

⁴ <https://news.abs-cbn.com/spotlight/11/06/22/as-pandemic-cases-more-filipino-nurses-set-to-seek-work-abroad>

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AN ACT PROVIDING A HIGH SALARY FOR FILIPINO NURSES, INCLUDING A FLEXIBLE WORK HOURS AND BENEFITS INCLUDING FREE HEALTHCARE OF MEDICAL INSURANCE PROVIDED AND PERMANENT/INTRODUCTORY ACCOMMODATION

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

Section 1. *Short Title.* - This Act shall be known as the "Gabay sa Nurse Act of 2023".

Sec. 2. *Declaration of Policy.* - It is the policy of the state to promote the right of Filipino nurses to have a healthy and sustainable working environment in the country, and to have benefits and compensations which are reasonable and sustainable to encourage the practice of their services here in the country. To this end, the State shall endeavor to take appropriate steps to increase consciousness among them as to their rights and benefits by providing them with the necessary benefits and allowances, and for the State and the public to recognize their vital role in the society and nation building.

Sec 3. *Definition of Terms.* - For purposes of this act, the following term is defined as follows:

- a) *Nurses* shall refer to nurses registered under the proper government agencies working either in public or private medical institutions.
- b) *Department* shall refer to the Department of Health.
- c) *Residence* refer to the place of abode where the nurse is situated on a daily basis.
- d) *Flexible Work Hours* refers to the period of three 12-hour weekly time-frames for working in shifts.
- e) *Institution* shall refer to the health institution where the nurse is exercising his/her professional function and employed under a regular or probationary contract.

Sec 4. *Purpose and Objectives.* - The purposes and objectives of this Act are the following:

- (a) To increase the salary of nurses who are working in the country;
- (b) To provide flexible work hours for those who are working in shifts;
- (c) To provide a permanent accommodation for qualified nurses;
- (d) To provide an introductory accommodation for nurses who work for temporary assignments in different hospitals or healthcare facilities to help fill staffing shortages;

- (e) To provide an appealing, sustainable and healthy working environment for the nurses in the country.

Sec 5. Nurse Health Officer. - The benefits and privileges provided for in this act shall be supervised by the Nurse Health Officer who shall be appointed by the Institution with the concurrence of the Department.

The Nurse health officer shall exercise the following powers and functions:

- (a) Execute the guidelines, policies and programs approved by the Department and Institution pursuant to this act, and be responsible for the efficient discharge of its operational functions;
- (b) Direct and supervise the distribution of the benefits provided for under this act;
- (c) Coordinate with the Department and other medical institutions and government agencies to ensure the best approach to implement this policy, its programs and guidelines;
- (d) Manage the nurses and their shifts to ensure the proper distribution of their professional services without sacrificing the well-being of their co-nurses;
- (e) Shall be the representative of the Department, and assist Nurses who require medical and professional aid while on their duties and under his/her supervision by referring them to the proper government agency, entity or institution ;
- (f) Submit a report at the end of every month of December or earlier if necessary to the Department regarding the distribution of the corresponding benefits, and the implementation of this policy and its programs

Sec 6. Salary Increase. A salary increase up to 100% of the base pay of all nurses in the Philippines. The minimum base salary of all nurses should be SIXTY THOUSAND PESOS (Php 60,000.00) on a monthly basis compared to their current minimum estimate of THIRTY THOUSAND PESOS (PHP 30,000.00).

Sec 7. Working Hours. Nurses must be ordered to work only for EIGHT (8) working hours on a regular basis, unless otherwise needed by the circumstances. In such cases, nurses may be allowed at their own volition to request a flexible working hour per week at a maximum of TWELVE (12) working hours per day but should not be beyond the required working hours of FORTY EIGHT (48) working hours week, otherwise entitled to other benefits provided for by law and with their consent.

Sec 8. *Accommodation benefits.* All nurses who have been in the medical service for a minimum of FIVE (5) years with the same Institution are entitled to accommodation provided by the medical institution near the vicinity of work for free. The place should not be in the campground, hospital, nursing home, emergency shelter, or community mental health or community substance abuse treatment facility.

Nurses who were under temporary assignment to different medical institutions must be given a temporary accommodation in order to ensure their well-being and safety while performing their services outside of the province or city or municipality of their residence. The institution where the nurse is temporarily assigned must provide for the said accommodation and should not be in the campground, hospital, nursing home, emergency shelter, or community mental health or community substance abuse treatment facility.

Sec. 9. *Period of Implementation.* – This act shall take effect immediately, and shall continue to be effective until the Congress decided to discontinue it through its legislative acts.

Sec. 10. *Tax Exemptions and Privileges.* – All existing tax exemptions and privileges extended to nurses to their current bonuses and allowances shall be applicable to the allowance and benefits provided under this Act.

Sec. 11. *Appropriations.* – The amount necessary for the implementation of this Act shall be charged against the National Budget, Thereafter, the amount necessary for its continued implementation shall be included in the budget of the department in the annual General Appropriations Act.

Sec. 12. *Periodic Review.* As the need arises or within five (5) years after its effectivity, the Joint Congressional Oversight Committee shall conduct a review of this Act for purposes of determining whether remedial legislation is in order.

Sec. 13. *Implementing Rules and Regulations.* The Institution, in coordination with the Department, shall promulgate rules and regulations implementing the provisions of this Act within sixty (60) days from its effectivity.

Sec. 14. *Separability Clause*. – If any provision of this Act is declared unconstitutional or otherwise invalid, the validity of the other provisions shall not be affected thereby.

Sec. 15. *Repealing Clause*. – All other laws, decrees, orders, rules and regulations, other issuances, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

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