

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

NINETEENTH CONGRESS
Second Regular Session

House Bill No. **9452**



Introduced by Representative Ron P. Salo

EXPLANATORY NOTE

Blood is an indispensable bodily fluid, transporting vital components such as oxygen and essential minerals necessary for the proper functioning of the human body. It is often overlooked until emergencies, traumas, impending surgeries, or life-threatening situations arise, and unfortunately, the shortage of blood is an ongoing issue faced by our country's healthcare system.

Currently, the Philippine National Red Cross stands as the primary provider of donated blood, operating 100 blood service facilities nationwide. The remaining blood supply is sourced from government hospitals, private healthcare facilities, non-hospital-based establishments, and national reference laboratories such as the Research Institute for Tropical Medicine (RITM) and the National Kidney and Transplant Institute (NKTi).

The National Blood Services Act of 1994, also known as Republic Act No. 7719, aimed to reinforce voluntary blood services across the nation in response to the emerging threats of blood-borne infections, including HIV and dengue fever. In tandem with this legislation, this bill aims to ensure that the adequate blood supply guaranteed by R.A. No. 7719 is complemented by a dedicated specialty hospital with research capabilities and laboratory centers for hematologic disorders.

Thus, this bill strives to institute the Philippine Blood Center to provide comprehensive care for patients, offering state-of-the-art transfusion services and advanced management of blood-related conditions. The Philippine Blood Center will be attached to the Department of Health and will be managed by an appointed Executive Director. It is also entrusted with the task of developing and implementing a program to assist indigent patients afflicted with blood diseases or those in need of blood or blood products.

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 PHILIPPINE BLOOD CENTER, DEFINING ITS
OBJECTIVES, POWERS AND FUNCTIONS, AND APPROPRIATING FUNDS
THEREFOR

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 “Philippine Blood Center Act of 2023”.

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State protect and promote the right to health of the people and instill health consciousness among them by making health services available, accessible, and affordable for all. Towards this end, the State shall establish a specialty hospital providing comprehensive, affordable, equitable, effective, and efficient care for patients with blood diseases.

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

- a) *Blood* – shall refer to the human blood for transfusion;
- b) *Blood Component* – shall refer, but not limited to, whole blood, red cells, granulocytes, plasma, platelets, cryoprecipitate and cryosupernatant prepared in the Blood Center;
- c) *Blood Disease* – shall refer to a blood condition that involves problems with the red blood cells, white blood cells, platelets, blood vessels, bone marrow, lymph nodes, spleen, or other proteins involved in bleeding and clotting (hemostasis and thrombosis). Blood diseases and blood disorders are used interchangeably in this Act;
- d) *Blood Product* – shall refer to a therapeutic substance derived from whole blood or plasma;
- e) *Blood Transfusion* – shall refer to the process of transferring blood or blood-based products from one person into the circulatory system of another;
- f) *Hematology* – shall refer to the branch of medicine that is concerned with the study of blood, the blood-forming organs and blood diseases; and

- g) *Voluntary Blood Donor* – shall refer to a donor who gives blood freely and voluntarily without any form of payment.

SEC. 4. *Mandate.* – There is hereby established a Philippine Blood Disease and Transfusion Center, hereinafter referred to as the Blood Center, a government corporate entity and specialty tertiary hospital that shall offer comprehensive care for patients with blood diseases, including blood transfusion services. The Blood Center shall also undertake teaching programs and research activities in furtherance of its mandate. It shall be attached to the Department of Health for coordination and policy direction. The existing unchartered Philippine Blood Center located adjacent to the Lung Center of the Philippines shall now be the Philippine Blood Disease and Transfusion Center created under this Act.

SEC. 5. *Purposes and Objectives.* – The Blood Center shall have the following purposes and objectives:

- a. To construct, establish, operate and maintain a specialty hospital, with at least two hundred (200) bed capacity, which shall offer comprehensive care for patients with blood diseases;
- b. To be the country's apex hospital on blood diseases;
- c. To establish and operate a blood transfusion center and a state-of-the-art hematology laboratory (which should be able to offer more services than a regular medical center), including a molecular laboratory for public welfare;
- d. To establish and operate a Hematopoietic Stem Cell transplant program and donor registry;
- e. To establish extension specialty hospitals in the various regions of the country;
- f. To collect blood from qualified voluntary blood donors, and process whole blood into blood components;
- g. To ensure the safety, as well as the adequate supply, of blood and blood products delivered to hospitals and other health facilities;
- h. To promote, encourage and engage in medical and scientific research on the prevention and treatment of blood diseases, and on the proper operation of blood bank technology and blood transfusion services to ensure the safety of both blood donors and donees;
- i. To gather, compile and publish the findings of its medical and scientific researches;
- j. To conduct studies and develop teaching programs, in collaboration with universities, hospitals and/or research institutions, on the prevention and treatment of blood diseases; encourage and grant scholarships for advanced training and specialization in hematology, and support educational programs of value to general public health;
- k. To finance, sponsor, hold or participate in congresses, conventions, conferences, seminars, workshops and training programs on the prevention and treatment of blood diseases; and
- l. To encourage and assist in the education and training of physicians, nurses, health officers, social workers and medical and technical personnel in the practical and scientific implementation of services to patients with blood diseases.

SEC. 6. Powers and Functions. – The Blood Center shall have the following powers and functions:

- a. To have the attribute of perpetual succession and shall be vested with the powers of a corporation;
- b. To adopt and use a corporate seal which shall be a matter of judicial notice;
- c. To enter into contracts with any person or entity, whether public or private, domestic or foreign;
- d. To own, possess, and/or acquire assets, real or personal, or any interest therein, and encumber or otherwise dispose the same, under any mode of encumbrance or conveyance, as it may deem proper and necessary in the conduct of its business;
- e. To collect reasonable fees from the public for its services;
- f. To solicit and accept any gifts, contributions, endowments, grants, bequests and devices of any kind of real or personal property which are necessary and proper for the attainment of the purpose of the hospital; and
- g. To perform such acts and exercise such functions as may be necessary and proper for the attainment of the purposes and objectives herein specified.

SEC. 7. Board of Trustees. – The affairs and business of the Blood Center shall be directed, its properties managed, and its corporate powers exercised, unless otherwise provided in this Charter, by its own Board of Trustees, which shall be composed of seven (7) members, as follows:

- a. The Secretary of the Department of Health as *ex officio* Chairman of the Board, or his duly authorized representative;
- b. The Department of Health Undersecretary in charge of supervising specialty hospitals;
- c. The Blood Center Executive Director
- d. One (1) representative from the private sector, preferably with experience in finance, administration or management.
- e. One (1) representative who is an expert in hematology;
- f. One (1) representative who is an expert in blood transfusion; and
- g. One (1) member representing the patients;

The terms of office, manner of appointment of the trustees and other matters pertaining to the governance of the Blood Center shall be determined in accordance with the pertinent provisions of R.A. No. 10149, otherwise known as the “GOCC Governance Act of 2011”.

SEC. 8. Powers and Functions of the Board. – The Board of Trustees, which shall be the policymaking body of the Blood Center, shall have the following powers and functions:

- a. Set the policies and direction of the Blood Center in order to accomplish its mandate;

- b. Adopt a set of by-laws, rules, regulations, guidelines and procedures consistent with existing laws and the provisions hereof to govern the administration and operation of the Blood Center;
- c. Establish the organizational structure of the Blood Center, defines the duties and responsibilities of its officials and employees, and adopt a compensation and benefit scheme, subject to the pertinent provisions of RA 10149;
- d. Ensure greater access of the public to the services offered by the Blood Center;
- e. Ensure the reasonability of fees charged to paying patients for its services;
- f. Ensure that reimbursements from PhilHealth are used to improve the delivery of services to the public, and redound to the benefit of its personnel;
- g. Establish and maintain professional and technical education systems for the sustained development of the necessary manpower to manage and operate its affairs and business;
- h. Authorize the expenditures of the Blood Center as may be necessary or proper for its efficient and effective management, operation and administration;
- i. Enter into such agreements and arrangements with other medical or similar institutions, domestic or foreign, as it deems desirable toward promoting the purposes and objectives of the Blood Center;
- j. Appoint, remove, suspend or otherwise discipline the Executive Director and other officers of the Blood Center occupying executive and senior management positions; and
- k. Undertake such other acts as may be necessary for or incidental to the accomplishment of the purposes and objectives of the Blood Center.

SEC. 9. Executive Director of the Blood Center. – The Blood Center shall be headed by an Executive Director, whose rank and emoluments shall be approved by the Board, taking into account the prevailing practice in other specialty hospitals, and subject to the pertinent guidelines issued by the Governance Commission for GOCCs (GCG). The Executive Director shall have the following duties and responsibilities:

- a. Direct and supervise the operations and administration of the Blood Center;
- b. Execute, administer and implement the policies and measures approved by the Board;
- c. Prepare the agenda for the meetings of the Board, and to submit for consideration of the Board such policies and measure as he/she believe(s) are necessary to carry out the purposes and objectives of this Act;
- d. Represent the Blood Center in all dealings, i.e. meetings, contracts, negotiations, etc., with all other offices, agencies and instrumentalities of the government and with all persons and other entities, domestic or foreign;
- e. Appoint, remove, suspend or discipline all other officers and employees of the Blood Center, the authority of which not having been vested with the Board;

- f. Approve the participation of the personnel of the Blood Center to research institutes, medical institutes or universities for advance training or observation and to attend international or regional conventions, conferences, congresses or seminars;
- g. Engage the services of consultants and other necessary personnel, whose engagement or appointment are not vested with the Board; and
- h. To exercise such powers and perform such other duties provided in the by-laws and as vested to him by the Board.

SEC. 10. Program for Indigents. – The Blood Center shall ensure that at least 40% of its total bed capacity is dedicated to providing medical care and services to indigent patients with blood diseases or needing blood or blood products, in accordance with the implementing guidelines on classification of patients and on Availment of the Medical Social Services in Government Hospitals.

The Board shall have the authority to increase the percentage of bed capacity allocated to indigent patients based on evolving healthcare needs and socio-economic conditions.

The Department of Health shall ensure that this program for indigents is effectively implemented.

Sec. 11. Income Retention. – The Blood Center is hereby authorized to retain and utilize the income derived from its operation for the continuous improvement of its services and facilities, subject to auditing rules and regulations. No amount from such income, however, shall be used to augment the salaries and other compensation of the Blood Center personnel beyond the amounts determined by the Governance Commission for Government-Owned and Controlled Corporations (GCG), as provided for in R.A. No. 10149.

SEC. 12. Tax Exemptions. – The Blood Center shall be exempted from the payment of taxes on all contribution thereto and all accruals on its income and investment earnings.

Any donation, contribution, bequest, subsidy, or financial aid which may be made to it shall constitute allowable deduction from the income of the donor as provided in the National Internal Revenue Code.

The Blood Center shall be exempt from all other taxes, whether direct or indirect, on its income, properties and operations.

SEC. 13. Appropriations. – The amount necessary for the initial implementation of this Act shall be charged against the current budget of the Department of Health.

For the succeeding years, the amount necessary for the efficient and effective operation of the Philippine Blood Center shall be included in the annual General Appropriations Act.

SEC. 14. Annual Report. – The Blood Center shall submit an annual report to the DOH, the Office of the President, the Senate of the Philippines and the House of Representatives on its performance and accomplishments.

SEC. 15. Transitory Provisions. – The existing Philippine Blood Center shall be given a period of three (3) months from the date of implementation of this law to wind down its activities.

Pertinent pieces of equipment, supplies and existing facility will be transferred to the new Blood Center supported with appropriate inventory.

All personnel of the Philippine Blood Center shall be transferred to the new Blood Center subject to their qualification and availment of *plantilla* positions under the new Blood Center approved Organizational Structure and Staffing Pattern (OSSP).

Those affected by this law shall be provided with the appropriate benefits provided under existing laws.

The DOH shall appoint in transition the officers and staff of the new Blood Center while complying with the OSSP for continuity of health services to the public.

SEC. 16. Implementing Guidelines. – The DOH shall draft the implementing guidelines in consultation with various relevant stakeholders within thirty days (30) from the approval of this Act.

SEC. 17. Separability Clause. – Any portion or provision of this Act that may be declared unconstitutional or invalid shall not have the effect of nullifying the other portions or provisions hereof as long as such remaining portion or provision can still subsist and be given effect in their entirety.

SEC. 18. Repealing Clause. – All laws, decrees, orders, rules, and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

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

Approved.