Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session



HOUSE BILL NO. 10031

Introduced by: Hon. Keith Micah "Atty. Mike" D.L. Tan

AN ACT
REDEFINING THE TERM "INDIGENT SENIOR CITIZEN AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7432 ENTITLED, 'AN ACT TO MAXIMIZE THE CONTRIBUTION OF SENIOR CITIZENS TO NATION BUILDING, GRANT BENEFITS AND SPECIAL PRIVILEGES AND FOR OTHER PURPOSES", AS AMENDED

EXPLANATORY NOTE

This measure is similar to House Bill No. 3172 filed by then 4th District of Quezon Representative Angelina "Helen" D.L. Tan, M.D. during the 16th Congress, which was approved by the Committee on Population and Family Relations. On the heels of its approval by the House on third and final reading, the 19th City Council of Quezon City approved Resolution No. SP-6605 entitled "A Resolution strongly supporting the passage of House Bill No. 3172, which seeks to amend Section 2 (H) of Republic Act No. 9994, thereby redefining the term "indigent senior citizens" by not limiting the same to frail, sickly and disabled only, and by qualifying financial assistance as contemplated in the same definition as regular and appropriate".

During the 17th Congress, it was refiled as House Bill No. 886 and was again referred to the Committee on Population and Family Relations. Its approval was hampered by the emergence of the proposal to consider the adoption of "universal social pension" for senior citizens, an idea which effectively made the redefinition unnecessary and thereby sidelined the approval of the bill.

The 18th Congress ushered in the enactment of Republic Act (R.A.) 11916, which increased the social pension from five hundred pesos to one thousand pesos without touching on the redefinition of "indigent senior citizens". Although the proposal was refiled as House Bill No. 2480, the Committee on Senior Citizens merely consolidated certain of its provisions under House Bill No. 9459, which eventually became R.A. 11916.

Hence, the issue of restrictiveness continues to deprive many senior citizens of their entitlement to social pension by virtue of certain physical attributes or conditions such as frailty, sickness or disability.

Article XIII, Section 11 of the 1987 Constitution states, "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. The State shall endeavor to provide free medical care to paupers."

The Constitution also states in Article XV, Section 4 that, "The family has the duty to care for its elderly members but the State may also do so through just programs of social security."

R.A. No. 7432, otherwise known as "An Act to Maximize the Contribution of Senior Citizens to Nation Building, Grant Benefits and Special Privileges and for Other Purposes", as amended by R.A. 9257 or the "Expanded Senior Citizens Act of 2003"; "R.A. 9994 or the "Expanded Senior Citizens Act of 2010"; and R.A. 11916, provides an array of benefits, privileges and assistance to senior citizens such as a twenty-percent (20%) discount and exemption from the value-added tax (VAT), if applicable, on the sale of some goods and services; death benefit assistance; educational assistance; free medical and dental services; and exemption from training fees for socioeconomic programs, among others.

It also grants indigent senior citizens additional privileges such as free vaccines, social pension and mandatory PhilHealth coverage. An "indigent senior citizen" is defined under the law as any elderly who is frail, sickly or with disability, and without pension or permanent source of income, compensation or financial assistance from his/her relatives to support his/her basic needs, as determined by the Department of Social Welfare and Development (DSWD) in consultation with the National Coordinating and Monitoring Board.

As a result, many senior citizens are excluded from the social pension they are entitled to because of the limitations provided by the law.

In this light, this measure seeks to make a more inclusive definition of "indigent senior citizen" by removing the physical requirements for the elderly to be entitled to a social pension. Hence, more senior citizens will feel more secure during the remaining years of their lives because of the guarantee that they will have ready access to financial assistance and health services.

In view thereof, approval of this bill is earnestly sought.

Keith Micah "Atty. Mike" D.L. Tan
4th District, Quezon

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

SECTION 1 Section 2 of Republic Act No. 7432, as amended, is hereby further amended to read as follows:

"Sec. 2. Definition of Terms. — For purposes of this Act, these terms are defined as follows:

"(a) x x x;

"x x x;

"(h) Indigent senior citizen refers to any elderly who is [frail, sickly or with disability, and] without pension or permanent source of income, compensation or financial assistance from his/her relatives to support his/her basic needs, as determined by the Department of Social Welfare and Development (DSWD) in consultation with the [National Coordinating and Monitoring Board] NATIONAL COMMISSION OF SENIOR CITIZENS (NCSC).

"x x x;

"(j) Social Pension refers to the monetary grant from the government to support the daily subsistence and medical needs of senior citizens which shall not be less than One thousand pesos (P1,000.00) per month."

SEC. 2. *Implementing Rules and Regulations.* – Within thirty (30) days from the effectivity of this Act, the NCSC shall, in consultation with the DSWD, DBM and other concerned government agencies, as well as nongovernmental organizations and people's organizations of senior citizens duly accredited by the DSWD, promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 3. *Appropriations.* - The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the DSWD. Thereafter such amount necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 4. *Repealing Clause.* - All laws, decrees, orders, issuances, and rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby

repealed or modified accordingly.

SEC. 5. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,