

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

19th CONGRESS
Second Regular Session

HOUSE BILL NO. 10365



Introduced by HONORABLE MILAGROS AQUINO-MAGSAYSAY

**AN ACT PROVIDING FOR THE ESTABLISHMENT OF
SENIOR CITIZENS NURSING HOMES IN ALL CITIES AND MUNICIPALITIES,
AND PROVIDING FUNDS THEREFOR**

EXPLANATORY NOTE

This bill seeks to establish senior citizens nursing homes in all cities and municipalities for long-term and multi-disciplinary care and support services, and providing for resources to support and sustain said programs.

While it is generally acknowledged that an ageing population is a positive outcome of combined social, economic and health advances, the resulting physiological, social and financial changes that older persons' experience, they may require assistance from time to time to regain a sense of well-being. Alongside the rapid growth of the older population are the increasing cases of abandonment and homelessness, as well as rise in their special needs such as health care, housing, income security and other social services.

While Filipino culture, and even the 1987 Constitution, dictates we care for our elderly, and it is the family which has the primary responsibility to do so, it is incumbent upon the State to provide additional resources and support. The national government has a handful of institutions maintained by the Department of Social Welfare and Development (DSWD) providing housing for abandoned, neglected, and homeless senior citizens. These residential facilities and group homes are simply insufficient and inadequate to address the needs of numerous ageing Filipinos whether or not separated from their families.

Thus, a strategic and long-term approach to ensure the protection of the rights and welfare of older persons and provide them with adequate health, rehabilitative and socio-economic services must be formulated. We must recognize the need for urgent action on the lack or scarcity of available infrastructure for elderly care, such as proper

facilities and safe and secure environments able to address long-term care needs of the senior citizens.

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

A handwritten signature in black ink, appearing to read 'Milagros', with a stylized, flowing script.

MILAGROS AQUINO-MAGSAYSAY

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Nineteenth Congress
Second Regular Session

HOUSE BILL NO. **10365**

Introduced by Representative Milagros Aquino-Magsaysay

**AN ACT PROVIDING FOR THE ESTABLISHMENT OF
SENIOR CITIZENS NURSING HOMES IN ALL CITIES AND MUNICIPALITIES,
AND PROVIDING 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 “***Senior Citizens Nursing Homes Act of 2024***”.

SECTION 2. Declaration of Policy – It shall be the declared policy of the State to protect and promote the health and well-being of Filipino senior citizens, and ensure a decent and dignified standard of living and quality of life by providing a comprehensive and holistic healthcare and welfare system, with accessible programs and affordable services.

SECTION 3. Scope and Coverage – This Act shall apply to all Filipino senior citizens who are in need of and wish to avail of the programs and services of nursing homes, particularly residential and housing, specialized medical interventions and support care, either because they have been abandoned, neglected, are homeless, or because their families are unable to meet or provide for their special needs.

SECTION 4. Definition of Terms – The following terms used in this Act are defined as follows:

- a) SENIOR CITIZEN - refers to any resident citizen of the Philippines, who is at least sixty (60) years old of age, as defined in Republic Act No. 9994;
- b) DEPENDENT SENIOR CITIZEN – a senior citizen needing support and assistance in daily living, in terms of self-care, health or medical needs, mobility and movement;
- c) SENIOR CITIZENS NURSING HOMES – refers to group homes or facilities that provide skilled and specialized care for senior citizens, 24 hours a day, seven (7) days a week; these will include RESIDENTIAL CARE SERVICES (RCS) provided by current group homes as long term or temporary multi-disciplinary care to senior citizens who are abandoned by their families or with no significant others to provide the needed supervision and supportive care. The services that will be provided Include social services, health & medical services, psychological services, skills training, group work activities, dietary services, homellfe /group-living services, spiritual services (I.e. religious services, masses, confession, bible studies) and provision of assistive devices;

SECTION 5. Government-Run Residential Care Facilities and Group Homes -

Pursuant to Executive Order No. 105, Series of 2004 the DSWD shall continue to operate and maintain Group Homes/Foster Home for Neglected, Abandoned, Abused, Unattached and Poor Older Persons and Persons with Disabilities. This includes Residential Care Services (RCS) at 24-hour facilities that provide long term or temporary multi-disciplinary care to senior citizens who are abandoned by their families or with no significant others to provide the needed supervision and supportive care. The services that will be provided Includes social services, health & medical services, psychological services, skills training, group work activities, dietary services, home-llfe/group living services, spiritual services (i.e., religious services, masses, confession, bible studies and etc.) and provision of assistive devices.

SECTION 6. Privately-Run Residential Care Facilities and Group Homes - Non-

Government Organizations (NGOs), religious or charitable institutions, or for-profit business enterprises may also establish and operate residential facilities and group homes to provide temporary shelter or long-term residential care for seniors suffering from dementia or Alzheimer's disease, or some life-threatening or terminal illness, needing assisted daily-living (ADLs), or palliative or hospice care.

SECTION 7. Mandatory Compliance with Standards -

The above-mentioned institutions and nursing homes established under this Act shall abide by the DSWD-mandated regulatory and accreditation standards, comply with Accessibility Law or Batas Pambansa (BP) No. 344 requirements, and anti-elder abuse policies. In addition, residents living in these facilities shall continue to be entitled to their individual benefits granted under RA 9994 and RA 10645 on mandatory PhilHealth coverage.

SECTION 8. Responsibility of Local Government Units (LGUs) – Local Government Units (LGUs), particularly cities and municipalities, shall take charge of ensuring the establishment, management and sustained operation of Senior Citizens Nursing Homes in their respective areas.

To ensure regular provision of necessary medical services for clients of senior citizens nursing homes, the LGU shall utilize the city or municipal health centers to provide maintenance drugs and medicines, conduct health monitoring and medical check-ups, dementia early screening/testing, and such other health services that may be required, through their respective city/ municipal health office.

SECTION 9. Funding and Sustainability – Pursuant to the Supreme Court's Mandanas ruling on the just and equitable share of local government units to some national tax revenues, LGUs must ensure the appropriate funding and resources to sustain their respective Senior Citizens Nursing Homes.

In addition, LGUs may utilize a portion of their mandated budgetary allocation for senior citizens to support their Senior Citizens Nursing Homes and provide for the needs of the above-mentioned vulnerable sectors. LGUs are likewise enjoined to integrate and consider this program in their local development plans.

SECTION 10. Donations to the Nursing Homes - The SC Nursing Homes are 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.

Notwithstanding any provision of law to the contrary, all donations, contributions, endowments and equipment and supplies to be imported by authorized entities or persons for the actual use and benefit of the SC Nursing Homes, shall be exempt from donor's and gift taxes, the same further deductible in full for the purpose of determining the maximum deductible amount under Section 30, paragraph (h), of the National Internal Revenue Code, as amended.

SECTION 11. Tax Exemption – Senior Citizens Nursing Homes established under this Act are hereby declared exempt from all income and all 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.

SECTION 12. Utility Discount – As provided for under Republic Act No. 9994, accredited and licensed senior citizens facilities exclusively used by the elderly, may be entitled to utility discounts on electricity, water and telecommunications services.

SECTION 13. Implementing Rules and Regulations - Within ninety (90) days or three (3) months from the approval of this Act, the National Commission on Senior Citizens (NCSC), in coordination with other relevant implementing agencies like the Department of Social Welfare and Development (DSWD), the Department of Interior and Local Government (DILG), and the Department of Health (DOH), and concerned stakeholders, shall formulate and promulgate the rules and regulations necessary for the effective implementation of this Act.

SECTION 14. Separability Clause – If any portion or provision of this Act is declared invalid or unconstitutional, other provisions not affected thereby shall continue to be in full force and effect.

SECTION 15. Repealing Clause – All laws, decrees, executive orders, rules or regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

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

Approved