

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

TWENTIETH CONGRESS
First Regular Session

House Bill No. **1978**



Introduced by **REPRESENTATIVE RICARDO S. CRUZ, JR.**

EXPLANATORY NOTE

A better primary health care in our country would require the role of Barangay Health Workers (BHWs) in the health sector. The pandemic highlighted the significance of the BHWs, who were notably at the forefront of response against the novel Coronavirus (COVID-19). BHWs served as the communication line between the health centers and constituents through door-to-door delivery of medicines, assistance in the vaccination drives, participation in contact tracing efforts, among others. Their invaluable service and contribution in strengthening primary health care leads to a lesser on curative health spending for the government.

The Philippine Constitution mandates the State to protect and promote the right to health of the people, as well as instill health consciousness among them. In doing so, the State shall then formulate an integrated and comprehensive approach to health development which shall endeavor to make essential goods (e.g., health and other social services) available for everyone at an affordable cost. The needs of the underprivileged, sick, elderly, disabled, women, and children shall be its priority.

The pandemic emphasized the need for a strong and robust primary healthcare system in our country. Our health care system was challenged by catering to a large number of patients outside their capacity. As a consequence, our healthcare workers were overworked and exhausted. The lack of adequate healthcare workers, facilities and equipment, especially in remote areas, showed the areas that the country needs to improve.

Pursuant to the Local Government Code of 1991, the Local Government Units (LGUs) are given the fundamental duty to continue to strengthen the capacity of our Primary Healthcare System, which must necessarily begin by looking at the people who carry it out.

As front liners of our Primary Healthcare System, our Barangay Health workers (BHWs) must be given sufficient incentives, benefits and most of all just compensation for their services rendered and for all the hard work that they have done. The goal of

improving the Primary Healthcare System necessarily carries with it the responsibility of taking care and supporting those in charge of implementing the same.

The Supreme Court's decision in the case of *Mandanas vs. Ochoa*¹ clarified that the share of Local Government Units (LGU) of the Internal Revenue Allotment (IRA) does not exclude other national taxes like customs duties.² With the implementation of the Mandanas-Garcia ruling in 2022, it is projected that LGUs, individually and collectively, will have a 27.61% increase in their shares of the IRA. Taking this into consideration, it has now been apparent that there is an additional source of funds for the salaries and benefits of BHWs. Having this said, the LGUs, as a matter of policy, should seek to hire BHWs as casual workers, or on a contractual and job order basis. Eventually, BHWs should be regarded as regular employees once the Mandanas-Garcia ruling is fully implemented.

The City of Taguig shows its support towards our BHWs through multiple incentives. Apart from the regular salary that was given, the BHWs also received bonuses, and other incentives and benefits such as training, overtime pay, and hazard pay. Taguig has taken into its responsibility to elevate the status of the BHWs to be formally employed under our LGU as Job Order (JO) and Casual Employees. Such benefits should not be limited only in Taguig because all the Filipinos deserve the best social services. We should start properly compensating, assisting, and building up the skills of our health workers, because they are our backbone for the efficient delivery of our overall health system.

As previously filed during the 18th Congress of the Philippines, this bill reiterates and expresses the importance of ensuring that Barangay Health Workers are integrated into the LGUs' organization as Job Order, Contractual, Casual, or Regular Employees and given proper compensation for their work, in recognition of their indispensable role in our Primary Healthcare System.

For these reasons, the swift passage of the foregoing measure is earnestly sought.


RICARDO S. CRUZ JR.

¹ G.R. No. 199802, July 3, 2018.

² <https://www.constitutionalreform.gov.ph/uFAQs/what-is-mandanas-ruling/>

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**AN ACT STRENGTHENING OUR PRIMARY HEALTH CARE SYSTEM THROUGH THE
APPOINTMENT OF SUFFICIENT BARANGAY HEALTH WORKERS IN CITIES AND
MUNICIPALITIES AND ELEVATING THEIR STATUS FROM VOLUNTEERS TO JOB ORDER,
CONTRACTUAL, CASUAL, OR REGULAR EMPLOYEES AND FURTHER STRENGTHENING
THE BARANGAY HEALTHCARE SYSTEM, AND FOR OTHER PURPOSES**

*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 “*Mahal Ko, Barangay Health Worker Ko Law*”.

SECTION 2. Declaration of Policy. – It is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them. It is therefore the responsibility of the State to 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.

The State recognizes the importance of primary healthcare in ensuring the health and well-being of our communities, the direct responsibility for which has now been

assumed by local governments, pursuant to the Local Government Code of 1991, as amended.

As the frontliners of our primary healthcare, the State recognizes the vital role of Barangay Health Workers and the need to provide them with security of tenure, adequate benefits and just compensation, consistent with the principle of equal pay for equal work and work of equal value.

SECTION 3. Definition. – The term “Barangay Health Worker” refers to a person who has undergone training programs under any accredited government and non-government organization and who renders primary health care services in the community after having been accredited to function as such by the local health board in accordance with the guidelines promulgated by the Department of Health (DOH) and appointed by the city or municipal mayor, as the case may be.

SECTION 4. Ideal Ratio of Barangay Health Workers. – The DOH shall issue the guidelines as to the ideal number of Barangay Health Worker-to-population ratio. Such a number should be sufficient to allow the city or municipality to satisfactorily deliver primary healthcare to its constituents.

SECTION 5. Barangay Health Workers as employees of the Local Government Units (LGU). – The city or municipality shall hire the Barangay Health Workers as job order, casual, contractual, or regular employees.

Barangay Health Workers currently serving the city or municipality and receiving allowances therefrom shall be given preference in the hiring by the city or municipality under this Act.

SECTION 6. Compensation and Benefits. – Barangay Health Workers hired pursuant to this Act shall receive all the compensation and benefits given by the city or municipality to its Job Order, Contractual, Casual, or Regular Employees.

SECTION 7. Special Barangay Health Workers Assistance Program. – The DOH, in coordination with the Department of the Interior and Local Government (DILG), shall create a *Special Barangay Health Workers Assistance Program*, providing additional financial and technical assistance, training and other support to selected LGUs for their Barangay Health Workers. This program shall prioritize assistance to LGUs that have no or less capacity to give regular and adequate salaries/allowances to its Barangay Health Workers for the next ten (10) years, as determined by the DOH and DILG.

SECTION 8. Appropriation. – The amount needed for the implementation of this Act shall be charged against the Internal Revenue Allotment (IRA) shares of the cities and municipalities, particularly the additional funds to be received once the *Mandanas-Garcia* Ruling has been fully implemented.

The amount necessary for the initial implementation of the Special Barangay Health Workers Assistance Program shall be charged to the current appropriation of the DOH. Thereafter, such sum as may be necessary for its continued implementation shall be included in the annual General Appropriations Act.

SECTION 9. Implementing Rules and Regulations – The Department of the Interior and Local Government (DILG), in coordination with the Department of Health (DOH), shall, within sixty (60) days from the effectivity of this Act, prepare the Implementing Rules and Regulations to carry out the provisions of this Act.

SECTION 10. Separability Clause. – If any part or provision of this Act is declared invalid or unconstitutional, the other parts hereof not affected thereby shall remain valid.

SECTION 11. Repealing Clause. – All laws, acts, presidential decrees, executive orders, administrative orders, rules and regulations inconsistent with or contrary to the provisions of this Act are deemed amended, modified or repealed accordingly.

SECTION 12. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,