

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **4940**



Introduced by **Representative AGATHA PAULA "AGAY" A. CRUZ**

EXPLANATORY NOTE

"When I think about OFWs, I think about their extraordinary strength, their determination, their dedication, the sacrifice and love that they have for their family. They embody what it means to sacrifice and persevere. **It is only fitting that we give them the care and support that they deserve in return.**"

—President Ferdinand R. Marcos Jr. during the groundbreaking of the OFW Hospital-Bagong Pilipinas Cancer Care Center (2024)

Every hour, more than one hundred Filipinos leave our shores to work abroad. They are called "migrant workers" in statutes and "heroes" in speeches, but in truth they are both. They are the invisible pillars propping up our national economy, remitting billions of pesos each year to fund our children's education, build homes, and sustain local businesses. Ironically, while they heal the economic wounds of the country, their own physical and mental health needs remain underserved, fragmented, and often exiled from the very benefits they earn for the nation.

At present, the Overseas Filipino Workers Hospital in Pampanga exists only by executive initiative. Without a solid legislative backbone, it is vulnerable to fiscal uncertainties, policy drift, and administrative overlap. Under Republic Act No. 8042, as amended, and Republic Act No. 11223, the State recognizes the need to protect and promote migrant health, but no law institutionalizes a permanent facility or network dedicated to the unique medical needs of OFWs and their dependents.

This bill seeks to end that neglect. It institutionalizes and strengthens the OFW Hospital as a Level III tertiary hospital under the Department of Migrant Workers, with technical regulation by the Department of Health. It provides comprehensive health services, including pre-employment and post-employment medical examinations, telehealth consultations for distressed workers abroad, medical repatriation support, and research on occupational diseases common to migrant work. It will also authorize the creation of OFW wards in DOH hospitals nationwide, thus extending the reach of migrant health services beyond Pampanga.

Governance will rest with a Board of Trustees chaired by the DMW Secretary and

composed of relevant agencies and OFW representatives to ensure that the hospital remains both technically sound and responsive to the voices of migrant workers themselves. Fiscal sustainability will be secured through earmarked appropriations, income retention, and tax incentives for donations and imported equipment. Transparency and accountability will be enforced by a Joint Congressional Oversight Committee tasked to monitor implementation and outcomes.

If our migrant workers can build the world's cities and keep our own economy afloat, then the least we can build for them is a hospital that will not vanish with a change of administration. In passing this bill, Congress will match the sacrifice of our modern-day heroes with a modern-day commitment: that when they return home, sick or well, they will find in their own country a health system that treats them not as exports, but as citizens.

For these reasons, the swift passage of this bill is earnestly sought, so that the healing hands of our OFWs, which have nursed the world's economies, may in turn be received by a healing nation of their own.



AGATHA PAULA "AGAY" AGUILAR CRUZ
Representative, Fifth Legislative District of Bulacan

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AN ACT
ENHANCING THE MEDICAL ACCESS OF OVERSEAS FILIPINO WORKERS
(OFWs) AND THEIR FAMILIES BY STRENGTHENING THE OFW HOSPITAL AND
APPROPRIATING FUNDS THEREFOR

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

1 **Section 1. Short Title.** – This Act shall be known as the “OFW Hospital Act.”
2

3 **Section 2. Declaration of Policy.** – It is the policy of the State to adopt an integrated
4 and comprehensive approach to health development which shall endeavor to make
5 essential goods, health, and other social services available to all people at affordable cost.
6 To this end, the State shall protect the interest and promote the well-being of overseas
7 Filipino workers (OFWs) through the provision of social welfare services in recognition
8 of their importance and contribution to economic development and nation-building.
9

10 **Section 3. Definition of Terms.** – As used in this Act:
11

12 (a) *Dependents* refer to any of the following:

- 13 (1) The legal spouse entitled by law to receive support from the OFW;
14 (2) The legitimate, legitimated, legally adopted, or illegitimate child who is
15 unmarried, not gainfully employed, and has not reached twenty-one (21)
16 years of age, or if over twenty-one (21) years of age, is congenitally
17 incapacitated or while still a minor has been permanently incapacitated and
18 incapable of self-support, physically or mentally; or
19 (3) The parents who primarily receive regular support from the OFW;
20

21 (b) *Overseas Filipino Worker (OFW) or Migrant Worker* refers to a Filipino who has
22 been engaged, is engaged, or is to be engaged in a remunerated activity in a
23 country of which the said person is not an immigrant citizen, or a permanent
24 resident of, or is not awaiting naturalization, recognition, or admission,

whether land-based or sea-based regardless of status; excluding a Filipino engaged under a government-recognized exchange visitor program for cultural and educational purposes. For purposes of this Act, a person engaged in remunerated activity covers a person who has been contracted for overseas employment but has yet to leave the Philippines, regardless of status, and includes "Overseas Contract Workers."

Section 4. Establishment of the Overseas Filipino Workers Hospital as a Level III Hospital. – There shall be established in the City of San Fernando, Province of Pampanga, a Level III hospital to be known as the Overseas Filipino Worker Hospital (OFW Hospital), which shall be under the direct administrative and financial supervision and control of the Department of Migrant Workers (DMW), while remaining under the technical and regulatory supervision and licensing authority of the Department of Health (DOH) consistent with existing laws and regulations.

It shall cater primarily to the healthcare needs of OFWs and their qualified dependents: *Provided*, That at least seventy percent (70%) of its authorized bed capacity shall be reserved for OFWs and their qualified dependents to ensure priority access: *Provided, further*, That nothing herein shall prevent the OFW Hospital from accommodating patients other than OFWs or their qualified dependents on a cost-recovery basis subject to DOH and PhilHealth guidelines.

The Medical Center Chief of OFW Hospital shall, in consultation with the DMW and the DOH, prepare the hospital development plan to reflect the development goals of the hospital including its bed capacity and service capability. Requests for staffing requirements, capital outlay investments, and budgetary needs for operations shall be based on the hospital development plan.

The DOH shall support the OFW Hospital through the provision of technical assistance, extending capital outlay, and monitoring of the hospital's compliance with standards to deliver quality healthcare.

Section 5. Purposes and Objectives. – To ensure the availability, accessibility, and affordability of quality health care, the OFW Hospital shall:

- (a) Provide comprehensive and total health care services to all migrant workers including Overseas Workers Welfare Administration (OWWA) contributors, whether active or inactive, their legal dependents, and the general public, and, on a limited basis as determined by the Board and DOH, to the general public without prejudice to the priority of OFWs and their dependents;
- (b) Serve as a referral facility for repatriated OFWs needing medical assistance and support while ensuring its participation in the provincial and inter-regional healthcare provider networks to allow for a seamless and coordinated referral

1 system for the medical repatriation program in accordance with Republic Act
2 No. 11223, otherwise known as the “Universal Health Care Act”;

- 3
- 4 (c) Promote, encourage, engage in, and publish scientific research on the
5 prevention, care, and treatment of occupational diseases common to OFWs,
6 including the underwriting of research on biological, demographic, social,
7 economic, and other relevant physiological aspects of occupational disorders
8 of OFWs, and conduct relevant congresses, conventions, seminars, and
9 conferences;
- 10
- 11 (d) Develop training programs for medical and allied medical professionals which
12 shall focus on strengthening occupational and migrant health services in the
13 country and the creation of specialized services;
- 14
- 15 (e) Provide 24/7 telehealth services to migrant workers and their families; such
16 service shall be implemented in coordination with the Department of Health
17 (DOH) and the Department of Foreign Affairs (DFA) in Philippine foreign
18 posts or Migrant Worker Offices to assist in the medical assessment and
19 management of distressed OFWs while awaiting repatriation;
- 20
- 21 (f) Establish the OFW Hospital as a medical facility providing pre-employment
22 medical examination for OFWs;
- 23
- 24 (g) Strengthen health surveillance through the provision of a post-employment or
25 post-arrival medical examination for OFWs, in consonance with Republic Act
26 No. 8042, otherwise known as the “Migrant Workers and Overseas Filipinos
27 Act of 1995,” and the DOH’s Philippine Migrant Health Program;
- 28
- 29 (h) Raise public awareness and conduct a massive information drive on the
30 prevention, treatment, and control of diseases common to OFWs, occupational
31 health and safety, and physical fitness; and
- 32
- 33 (i) Assist and support universities, research institutions, and other hospitals or
34 medical facilities in their studies on health-related concerns of OFWs
- 35

36 **Section 6. Powers of the OFW Hospital.** – The OFW Hospital shall have the
37 powers to:

38

- 39 (a) Acquire and hold, in any manner, property of whatever nature or description,
40 and to dispose of such property under any mode of encumbrance or
41 conveyance;
- 42 (b) Contract and be contracted with;
- 43 (c) Levy, assess, and collect such fees, charges, and assessments as may be
44 necessary or proper to support, finance, and maintain its operation;

- 1 (d) Mortgage, lease, sell, transfer, convey, or otherwise dispose of its properties;
2 (e) Invest in and purchase or otherwise acquire, own, hold, use, lease grant,
3 mortgage, sell, transfer or otherwise deal with, real and/or personal properties
4 of every kind and nature, including shares of stock, bonds, notes and other
5 evidence of indebtedness or obligations of other corporations whether
6 government or private only with respect to income and donations accruing to
7 the hospital and subject to the provisions of the Government Auditing Code
8 and other applicable laws;
9 (f) Solicit and receive donations, endowments, and funds in the form of
10 contributions, whether in cash or in kind, from both the public and private
11 sector subject to existing budgeting, accounting, and auditing rules and
12 regulations;
13 (g) Open such accounts in banks and other financial institutions, and disburse
14 funds or invest the same as the DMW Secretary may direct to accomplish or
15 advance the purposes or interest of the hospital;
16 (h) Invite foreign specialists and experts in the various medical fields not available
17 in the country to train the personnel, trainees, and residents;
18 (i) Send hospital personnel to research institutes, medical institutes, or
19 universities for advanced training or observation and to attend international or
20 regional conventions, conferences, congresses, and seminars as the Medical
21 Center Chief may deem necessary to accomplish the purposes and objectives
22 of the OFW Hospital, subject to the approval of the DMW Secretary; and
23 (j) Exercise such other powers and functions as may be necessary or incidental for
24 the accomplishment of the purposes and objectives of the OFW Hospital.
25

26 **Section 7. *Creation of the OFW Hospital Board of Trustees.*** – There is hereby
27 created an OFW Hospital Board of Trustees as the governing body of the Hospital. The
28 Board shall manage a special “OFW Hospital Trust Fund” for donations and income
29 which shall accrue to the National Treasury as a special account and be used exclusively
30 for hospital operations, subject to COA audit.
31

32 The Composition of the OFW Hospital Board shall be as follows:

- 33 (a) Chairperson: Secretary of the DMW;
34 (b) Vice-Chairperson: Secretary of the DOH; and
35 (c) Members:
36 (1) Secretary, Department of Labor & Employment (DOLE);
37 (2) Administrator, Overseas Workers Welfare Administration (OWWA);
38 (3) Secretary, Department of Social Welfare and Development (DSWD);
39 (4) Land-based OFWs Representative; and
40 (5) Sea-based OFWs Representative.
41

42 The representatives of land-based and sea-based OFWs shall be appointed by the
43 President of the Philippines from a list of nominees of their OFW organizations, duly
44 endorsed by the Secretary of the DMW to the President. The nominees shall at least be

forty (40) years of age, and an OFW with at least five (5) years of work experience abroad at the time of their nomination.

The members of the Board may elect an alternate, whose name shall be submitted to the President for appointment. In case of vacancy, the head of the agency or the OFW organizations may nominate an alternate, subject to the official appointment by the President of the Philippines.

Section 8. Powers and Functions of the OFW Hospital Board of Trustees. – The Board of Trustees shall have the following powers and functions:

- (a) Approve and promulgate policies, guidelines, programs, and plans for the sound administration, maintenance, and operations of the OFW Hospital for the implementation of the purposes and objectives of this Act;
- (b) Determine and approve the organizational structure and staffing pattern of the OFW Hospital in accordance with the revised compensation and position classification system, subject to the evaluation and approval of the Department of Budget and Management (DBM) and in compliance with civil service and other pertinent laws, rules, and regulations;
- (c) Appoint, remove, suspend, or otherwise discipline the officers of the OFW Hospital occupying executive and senior management positions, subject to civil service and other applicable laws, rules, and regulations;
- (d) Adopt the annual and supplemental budget of the OFW Hospital; and
- (e) Exercise all the general powers necessary or proper for the attainment of the purpose and objectives of this Act.

Section 9. Medical Center Chief. – The OFW Hospital shall be headed by a Medical Center Chief who is a licensed physician and with experience in hospital administration and management for at least ten (10) years. The Medical Center Chief shall be appointed by the President of the Philippines upon the joint recommendation of the DMW and DOH Secretaries.

The Medical Center Chief shall have the following duties and responsibilities:

- (a) Provide overall direction and strategic leadership to the OFW Hospital toward the provision of high-quality health services;
- (b) Oversee all managerial and administrative processes and operations of all departments of the OFW Hospital;
- (c) Supervise the daily activities of functional units;
- (d) Ensure high standards in clinical training for medical and allied medical personnel;
- (e) Execute, on behalf of the OFW Hospital, all contracts and agreements which it may enter into and accomplish and deliver any and all documents relative to such contracts and agreements, subject to the approval of the DMW Secretary;

- 1 (f) Represent the OFW Hospital in all dealings with other offices, agencies, and
2 instrumentalities of the government and all other persons or entities, domestic
3 or foreign and government or private;
4 (g) Submit, for the consideration and approval of the Board, the proposed
5 development plans, programs, measures, policies, and guidelines necessary
6 for the effective implementation of the purposes and objectives of this Act;
7 (h) Appoint, promote, transfer, remove, suspend or otherwise discipline the
8 officers and employees of the OFW Hospital, except those appointed by the
9 Board; and
10 (i) Exercise such other powers and perform such duties as may be vested by the
11 DMW Secretary.
12

13 **Section 10. Duties and Responsibilities of the DMW and OWWA.** – The DMW
14 shall:
15

- 16 (a) Establish a focal office for migration and health in the DMW, subject to the
17 approval of the Department of Budget and Management (DBM) and existing
18 laws on government organization and staffing, to ensure that the country's
19 migrant health program is mainstreamed in the plans and programs of the
20 OFW Hospital, which shall include:
21 (1) Assistance in identifying, documenting, processing, and approving
22 applications for benefits granted to OFWs and their qualified dependents;
23 (2) Establishment of a referral system within the OFW Hospital to ensure
24 efficient delivery of medical and health care services to qualified OFWs and
25 their dependents;
26 (3) Strengthening of the existing health benefits and medical assistance
27 programs, through OWWA, such as subsidies on hospitalization and
28 medical procedures for OFWs and their qualified dependents, subject to the
29 availability of funds and resources; and
30 (4) Active engagement in the Philippine Migrant Health Network, an inter-
31 agency, multi-stakeholder network for migrant health composed of
32 members from other government, non-governmental agencies, the
33 academe, civil society organizations, private sector, and international
34 organizations, to advocate and lobby support for migrant health programs;
35
36 (b) Create a consultative committee and other necessary mechanisms for the
37 effective participation of land-based and sea-based accredited OFW
38 organizations in the formulation of policies for the effective implementation of
39 programs and measures to attain the objectives of the OFW Hospital; and
40
41 (c) Perform such other functions that are necessary for the attainment of the
42 purposes and objectives of this Act.
43

44 The OWWA shall also ensure that existing health benefits and medical assistance

1 programs for OFWs and their qualified dependents are strengthened: *Provided*, That
2 nothing in this Act shall be construed to diminish or reduce the existing benefits of OFWs
3 and their dependents provided under R.A. No. 11223.

4
5 **Section 11. *Duties and Responsibilities of the DOH.*** – The DOH shall:

- 6
7 (a) Ensure that the necessary permits and licenses to operate the OFW Hospital are
8 obtained, consistent with relevant issuances, rules, and regulations;
9 (b) Endorse and encourage medical specialists in other government hospitals such
10 as the Philippine Heart Center, National Kidney and Transplant Institute, Lung
11 Center of the Philippines, National Children’s Hospital, and the Philippine
12 General Hospital, to hold clinics in the OFW Hospital;
13 (c) Establish OFW centers or wards in DOH-retained hospitals to complement the
14 OFW Hospital. The level of OFW services and corresponding facilities in OFW
15 centers or wards and their respective health human resource requirements
16 shall be determined by the DOH, in coordination with stakeholders: *Provided*,
17 That the standards to be adopted thereon shall be consistent with the
18 Philippine Health Facility Development Plan;
19 (d) Support the OFW Hospital through the provision of technical assistance and
20 monitoring the hospital’s compliance with standards to deliver quality
21 healthcare; and
22 (e) Perform such other functions that are necessary for the attainment of the
23 purposes and objectives of this Act.
24

25 **Section 12. *Tax Exemption.*** – All grants, bequests, endowments, donations, and
26 contributions made to the OFW Hospital to be used actually, directly, and exclusively by
27 the OFW Hospital shall be exempt from donor’s tax and the same shall be considered as
28 allowable deduction from the gross income of the donor, in accordance with the
29 provisions of the National Internal Revenue Code of 1997, as amended. The importation
30 of equipment, machinery, and spare parts used actually, directly, and exclusively for the
31 operation of the OFW Hospital and are not available locally shall be exempt from value-
32 added tax and customs duty.
33

34 **Section 13. *Support from other Government Agencies.*** – All agencies, departments,
35 bureaus, offices, or instrumentalities of the government, including government-owned or
36 -controlled corporations, shall render assistance to the OFW Hospital for the effective
37 implementation of this Act.
38

39 The OWWA shall ensure that existing health benefits and medical assistance
40 programs are strengthened for OFWs and their qualified dependents: *Provided*, That
41 nothing in this Act shall be construed to diminish or reduce the existing benefits of OFWs
42 and their dependents provided under Republic Act No. 11223, otherwise known as the
43 “Universal Health Care Act.”
44

1 **Section 14. Congressional Oversight Committee.** – There is hereby created a Joint
2 Congressional Oversight Committee which shall be jointly chaired by the Chairpersons
3 of the Senate Committee on Health and Demography and the House of Representatives
4 Committee on Health. It shall be composed of five (5) members from the Senate and five
5 (5) members from the House of Representatives, to be appointed by the Senate President
6 and the Speaker of the House of Representatives, respectively: *Provided, That* at least one
7 (1) member from each house shall come from the Minority.
8

9 **Section 15. Appropriations.** – The amount necessary for the initial implementation
10 of this Act shall be charged against the current year's appropriations of the concerned
11 departments and agencies. Thereafter, the amount necessary for its continued
12 implementation shall be included in the annual General Appropriations Act.
13

14 All income generated from the operations of the OFW Hospital shall be deposited
15 in an authorized government depository bank and be used to augment the hospital's
16 operating requirements.
17

18 **Section 16. Annual Report.** – The DMW shall submit to the President and Congress
19 and annual report on the implementation of this Act, including indicators on utilization
20 by OFWs, cost-effectiveness, and quality of care as determined by DOH standards.
21

22 **Section 17. Implementing Rules and Regulations.** – Within ninety (90) days from
23 the approval of this Act, the DMW shall, in consultation with the DOH, OWWA, and other
24 stakeholders, promulgate the implementing rules and regulations to carry out the
25 provisions of this Act.
26

27 **Section 18. Fiscal Sustainability and Audit.** – All income derived from operations,
28 donations, and other sources of the OFW Hospital shall accrue to a special account in the
29 National Treasury and shall be used exclusively to augment the hospital's maintenance
30 and operating requirements, subject to government accounting, auditing and
31 procurement laws.
32

33 **Section 19. Separability Clause.** – If any part or provision of this Act is held
34 unconstitutional or invalid, the remainder thereof not otherwise affected shall remain in
35 full force and effect.
36

37 **Section 20. Repealing Clause.** – All laws, decrees, executive orders, proclamations,
38 or administrative regulations that are inconsistent with the provisions of this act are
39 hereby repealed or modified accordingly.
40

41 **Section 21. Effectivity.** – This Act shall take effect after fifteen (15) days after its
42 publication in the *Official Gazette* or in a newspaper of general circulation.
43

44 *Approved,*