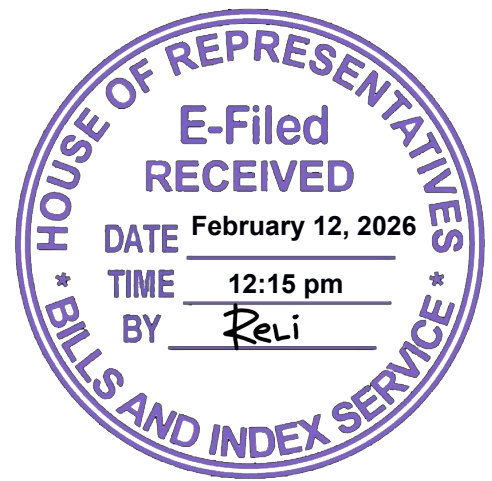


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **7788**



Introduced by Representatives Bryan B. Revilla, Lani Mercado-Revilla, and Ramon Jolo Revilla III

EXPLANATORY NOTE

The Pre-Employment Medical Examination (PEME) is intended to ensure that Overseas Filipino Workers (OFWs) are medically fit to perform their duties abroad. However, in practice, PEME has increasingly become a source of abuse, financial burden, and exploitation—particularly for seafarers and other vulnerable migrant workers.

Numerous OFWs are compelled to undergo PEME only in clinics designated by manning agencies or employers, often at excessive cost, with repeated testing, questionable medical findings, and little transparency. Many are unfairly declared “unfit” based on vague or outdated standards, resulting in lost employment opportunities, mounting debt, and psychological distress. These practices undermine the very purpose of PEME and violate the spirit of the Migrant Workers and Overseas Filipinos Act of 1995.

This measure seeks to restore PEME to its rightful role as a protective health mechanism, not a barrier to employment. It affirms the right of OFWs to choose accredited medical facilities, ensures fair cost allocation, strengthens data privacy, modernizes medical and psychological standards, and imposes accountability on PEME clinics and stakeholders.

By institutionalizing fairness, proportionality, and transparency, this bill advances the State’s constitutional duty to protect the dignity, welfare, and rights of Filipino workers, wherever they may be employed.

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


REP. BRYAN B. REVILLA
AGIMAT Party-list


REP. LANI MERCADO-REVILLA
Representative, 2nd District of Cavite

A stylized, handwritten signature in black ink, likely belonging to Ramon Jolo B. Revilla III. The signature is fluid and cursive, with a large initial 'R' and 'J'.

REP. RAMON JOLO B. REVILLA III
Representative, 1st District of Cavite

Republic of the Philippines
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TWENTIETH CONGRESS
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HOUSE BILL NO. **7788**

Introduced by Representatives Bryan B. Revilla, Lani Mercado-Revilla, and Ramon Jolo Revilla III

AN ACT
ESTABLISHING FAIR, TRANSPARENT, AND RIGHTS-BASED STANDARDS
FOR THE PRE-EMPLOYMENT MEDICAL EXAMINATION (PEME) OF OVERSEAS
FILIPINO WORKERS, PROVIDING SAFEGUARDS AGAINST ABUSIVE
PRACTICES, 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 “Pre-Employment Medical Examination (PEME) for OFWs Act.”.

SEC. 2. Declaration of Policy. – It is the policy of the State to protect the rights, dignity, and welfare of Overseas Filipino Workers by ensuring that pre-employment medical examinations are conducted fairly, ethically, transparently, and in accordance with international standards, without imposing undue financial or psychological burden on workers.

SEC. 3. Definition of Terms. – For the purposes of this Act, the following terms are hereby defined:

- a) *Accredited Medical Facility* refers to a clinic that passed the accreditation requirements of the Department of Health to conduct Pre-Employment Medical Examination for land-based overseas workers and seafarers on inter-island and overseas employment.
- b) *Fit-to-Work* refers to the determination, as reflected in a valid medical certificate, that an Overseas Filipino Worker is reasonably expected to be able to meet the minimum physical, mental, and psychological requirements necessary to safely and effectively perform the routine and emergency

duties specific to the position for which the worker is being deployed, during the period of validity of the medical certificate.

Such medical certificate shall not be construed as a certification of general health nor as a declaration of the absence of illness or medical condition, but solely as an assessment of the worker's fitness in relation to the actual demands and risks of the specific job to be performed.

- c) *Manning agency* refers to a natural or juridical person duly licensed by the Secretary of the Department of Migrant Workers to engage in the recruitment and placement of seafarers;
- d) *Overseas Filipino Worker (OFW)* refers to a Filipino who is to be engaged, is engaged, or has been engaged in remunerated activity in a country of which he or she is not an immigrant, citizen, or permanent resident 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 provision, 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". The term "OFW" is synonymous to "Migrant Worker";
- e) *Recruitment agency* refers to a natural or juridical person duly licensed by the Secretary of the Department of Migrant Workers to engage in the recruitment and placement of land-based OFWs;
- f) *Pre-Employment Medical Examination (PEME)* refers to the complete medical examination being conducted to an applicant as a requirement for screening to determine whether physically and mentally fit to work abroad.
- g) *Principal* refers to an employer or foreign placement agency hiring or engaging Filipino workers for overseas employment through a licensed private recruitment/manning agency.

SEC. 4. Coverage. – This Act shall apply to all OFWs, including seafarers, land-based workers, and other migrant workers required to undergo Pre-Employment Medical Examinations as a condition for overseas employment.

SEC. 5. Freedom of Choice of Pre-Employment Medical Examination Clinic. – OFWs shall have the right to undergo their Pre-Employment Medical Examination (PEME) in any medical facility accredited by the Department of Health (DOH), subject to compliance with uniform PEME standards and protocols to be jointly prescribed by the DOH and the Department of Migrant Workers (DMW).

No employer, principal, or manning agency shall require or compel an OFW to undergo PEME exclusively in a designated or preferred clinic as a condition for deployment.

To ensure quality, consistency, and medical integrity, the DOH, in coordination with the DMW and other concerned agencies, shall:

- a) Prescribe standardized PEME examination protocols, diagnostic requirements, and reporting formats applicable to all DOH-accredited PEME clinics;
- b) Establish a system of periodic audit, monitoring, and compliance review of PEME clinics to ensure adherence to prescribed standards;
- c) Maintain and publish an updated list of accredited and compliant PEME clinics, including those subject to suspension or revocation of accreditation for violations.

An employer, principal, or manning agency may raise a written objection to a PEME result only on the basis of non-compliance with prescribed standards or protocols, and not on the mere choice of clinic. In such cases, the OFW shall be entitled to a confirmatory examination in another DOH-accredited clinic.

Nothing in this section shall be construed to diminish the State's duty to protect the health, safety, and welfare of OFWs, nor to allow discriminatory, arbitrary, or coercive medical practices.

SEC. 6. Cost of Pre-Employment Medical Examination and Reimbursement. –

- (a) The cost of PEME shall be borne by the employer or principal.
- (b) In cases where the OFW advances payment for PEME, full reimbursement shall be made upon issuance of a Fit-to-Work Certificate, not later than the first salary payment or deployment date, whichever comes first.
- (c) No additional, repeat or confirmatory medical examination shall be charged to the OFW without clear medical justification.

SEC. 7. Regulation of Medical and Psychological Examinations. –

- (a) All medical and psychological examinations shall comply with updated, evidence-based, and internationally accepted medical standards.
- (b) Psychological assessments shall be conducted only by licensed professionals in accordance with Republic Act No. 10029 or the Philippine Psychology Act and regulated by the Professional Regulation Commission (PRC) through the Board of Psychology.
- (c) Outdated, unvalidated, or discriminatory testing methods are strictly prohibited.

SEC. 8. *Protection of Medical Records and Data Privacy.* –

- (a) PEME results and medical records shall be the property of the OFW.
- (b) Disclosure of medical information to employers, agencies, or third parties shall require the written and informed consent of the OFW.
- (c) All handling of medical data shall comply with Republic Act No. 10173 or the Data Privacy Act of 2012.

SEC. 9. *Accountability of Pre-Employment Medical Examination Clinics.* –

Medical facilities conducting PEME may be held jointly and severally liable for repatriation costs, damages, or losses if a medical condition that should have been reasonably detected during PEME leads to premature termination of employment abroad.

SEC. 10. *Oversight and Inter-Agency Coordination.* – The Department of Health (DOH), Department of Migrant Workers (DMW), and other concerned agencies shall establish a coordinated oversight mechanism to ensure compliance with this Act and to investigate complaints related to PEME practices.

SEC. 11. *Prohibited Acts.* –

The following acts are hereby prohibited:

- (a) Forcing OFWs to use exclusive or designated PEME clinics;
- (b) Imposing excessive, repetitive, or unnecessary medical tests;
- (c) Withholding or falsifying PEME results;
- (d) Unauthorized disclosure of medical information;
- (e) Any act that circumvents the rights guaranteed under this Act.

SEC. 12. *Penalties.* – Any person, agency, or medical facility found violating this Act shall be subject to administrative, civil, and criminal liabilities, including fines, suspension or revocation of accreditation, and other penalties as may be determined by law.

SEC. 13. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the DOH, DMW, and the PRC, in coordination with other concerned agencies, shall promulgate the necessary implementing rules and regulations of this Act.

SEC. 14. *Separability Clause.* – If any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected and thereby remain in full force and effect.

SEC. 15. *Repealing Clause.* – All laws, decrees, executive orders, and rules and regulations, or parts thereof, inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 16. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,