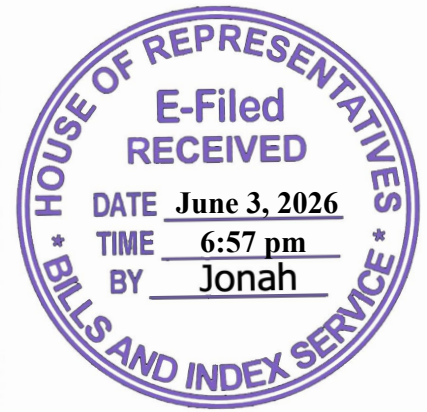


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Bill No. 9790



**Introduced by Representatives JEFFREY SORIANO, JOCELYN P. TULFO,
and RALPH WENDEL P. TULFO**

EXPLANATORY NOTE

This bill seeks to regulate and limit excessive consecutive work hours of nurses in order to protect their welfare, uphold patient safety, and strengthen the overall quality of healthcare delivery.

Chronic overwork and involuntary overtime expose nurses to fatigue and burnout, increase the risk of medical errors, and undermine the quality and responsiveness of healthcare delivery. These conditions adversely affect both the well-being of nurses and the safety and responsiveness of patient care. Setting reasonable limits on mandatory duty hours, while allowing narrowly tailored exceptions during genuine emergencies, affirms the State's commitment to protect the nursing workforce, recognizing them as a cornerstone of a functioning health system.

This proposed measure also seeks to prohibit the imposition of mandatory overtime beyond regularly scheduled work hours, addresses systemic reliance on excessive duty as a substitute for adequate staffing, and provides accountability mechanisms for healthcare employers who violate these standards.

Amid persistent workforce shortages and mounting pressures on the health sector, this measure seeks to reinforce the protection, dignity, and sustainability of the nursing profession by ensuring fairer and safer conditions of work. It recognizes that safeguarding nurses from excessive and unsafe duty hours is not only a matter of labor protection, but a critical intervention for strengthening healthcare delivery and preserving public welfare.

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


HON. JOCELYN P. TULFO


HON. JEFFREY SORIANO


HON. RALPH WENDEL P. TULFO

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**Introduced by Representatives JEFFREY SORIANO, JOCELYN P. TULFO,
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AN ACT
PROMOTING THE RIGHTS AND WELFARE OF NURSES BY REGULATING
AND LIMITING THEIR CONSECUTIVE HOURS OF WORK

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 “*Nurses Welfare Act*”.

SEC. 2. *Definition of Terms.* – As used in this Act:

- a. Emergency refers to an unforeseen event that could not be prudently planned for and does not regularly occur in the facility;
- b. Health Care Employer refers to any individual, partnership, association, corporation, or any person or group of persons acting directly or indirectly on behalf of or in the interest of the employer, which provides Health care services in a facility licensed to operate as such including any facility operated by the State, a Political Subdivision or a Public Corporation;
- c. Nurse refers to a registered professional nurse as certified by the Professional Regulatory Board; and
- d. Regularly Scheduled Work Hours refer to those hours a nurse has agreed to work and is normally scheduled to work pursuant to the budgeted hours allocated to the nurse’s position by the health care employer; and if no such allocation system exists, some other measure generally used by the health care employer to determine when an employee is minimally supposed to work, consistent with the collective bargaining agreement, if any.

SEC. 3. *Prohibition of Excessive Work Hours.* – Notwithstanding any other provision of law:

a. No health care employer shall require a nurse to remain on duty for a period longer than eight consecutive hours, or forty hours in a seven day work week, except as consistent with the nurse's regularly scheduled work hours; and

b. No health care employer shall require a nurse to work more than that nurse's regularly scheduled work hours, except pursuant to subdivision three of this Act.

SEC 4. *Exceptions to the Prohibition.* – The Limitation provided for in this section shall not apply in the case of:

a. Health Care Disaster such as a natural or other type of disaster that increases the need for health care personnel, unexpectedly affecting the country;

b. A declaration of emergency in effect in the region in which the licensed health care employee is employed; or

c. Where a health care employer determines there is an emergency necessary to provide safe patient care, in which case the health care provider shall, before requiring an on-duty employee to remain, make a good faith effort to be have overtime covered on a voluntary basis, including, but not limited to, calling per diems, agency nurses, assigning floats, or requesting an additional day off work from off-duty employees;

SEC 5. *No Prohibition Against Voluntary Overtime.* – Nothing in this Act shall prohibit a nurse from voluntarily working overtime.

SEC 6. *Penalty.* – The Health Care Employer found guilty of violating this Act shall be fined the amount of One Hundred Thousand Pesos (P100,000.00) in addition to other damages that shall be imposed by the imposed court.

SEC. 7. *Implementing Rules and Regulations.* – The Department of Health and Department of Labor and Employment shall jointly issue the implementing rules and regulations necessary for the effective implementation of this Act, including the supervision and monitoring of compliance among healthcare facilities.

SEC. 8. *Separability Clause.* – If any portion or provision of this Act is declared invalid or unconstitutional, other provisions hereof shall remain in full force and effect.

SEC. 9. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 10. *Effectivity.* – This Act shall take effect fifteen days (15) after its publication in the Official Gazette or in a national newspaper of general circulation.

Approved,