



HOUSE OF REPRESENTATIVES

H. No. 8626

BY REPRESENTATIVES LIBANAN, ACIDRE, SUANSING (M.A.), QUIMBO, SOLON, RODRIGUEZ (M.), MOMO, ABALOS, LORIA, BELTRAN, BARBERS, ESPARES, BAÑAS-NOGRALES, SUAN AND GONZALES (C.S.)

AN ACT
ESTABLISHING A COLLEGE OF MEDICINE IN THE EASTERN SAMAR STATE UNIVERSITY IN THE CITY OF BORONGAN, PROVINCE OF EASTERN SAMAR AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1. Establishment.** – There is hereby established a College of Medicine
2 in the Eastern Samar State University located in the City of Borongan, Province of Eastern
3 Samar, which shall be known as the “*Eastern Samar State University-College of*
4 *Medicine*”.

5
6 **SEC. 2. General Mandate.** – The Eastern Samar State University (ESSU)–College
7 of Medicine, hereinafter referred to as the “College”, shall primarily offer a Doctor of
8 Medicine Program, including an Integrated Liberal Arts and Medicine Program consisting
9 of basic science and clinical courses and using a learner-centered, competency-based,
10 and community-oriented approach. The primary goal of the College shall be to develop a
11 corps of professional physicians to strengthen the healthcare system of the country, as
12 well as to respond to the human resource development needs of the Province of Eastern
13 Samar and the Eastern Visayas Region.

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15 The College is also mandated to undertake research and extension services and
16 provide progressive leadership in these areas.

17
18 **SEC. 3. Governance.** – The governance of the College shall be vested in the Board
19 of Regents of the ESSU, hereinafter referred to as the Board, whose powers and functions
20 are defined under Republic Act (RA) No. 9312, entitled, “An Act Converting the Eastern
21 Samar State College (ESSC) into a State University to be known as the Eastern Samar
22 State University, Integrating Therewith the Maydolong National Agricultural School in the
23 Municipality of Maydolong, Province of Eastern Samar and Appropriating Funds
24 Therefor”, and other applicable laws and regulations, unless otherwise provided or
25 amended elsewhere in this Act.

1 **SEC. 4. Administration.** – The administration of the College shall be vested in
2 the Dean of the College insofar as may be authorized by its Board.

3
4 **SEC. 5. The College Dean.** – The College shall be headed by a Dean who
5 shall be appointed by the Board, subject to the guidelines on qualification and standards
6 set by the Board, and upon the recommendation of the President of the ESSU, and
7 pursuant to the policies, standards, and guidelines of the Commission on Higher Education
8 (CHED). The Dean shall render full-time service, serve a term of three (3) years, and may
9 be reappointed to another term.

10
11 Within six (6) months from the effectivity of this Act, the President of the ESSU
12 shall constitute the Search Committee for the Deanship.

13
14 The powers and duties of the Dean of the College, in addition to those specifically
15 provided for in this Act, shall include those usually pertaining to the Office of the Dean of
16 similar state universities and colleges and those delegated by the President.

17
18 The salary of the Dean of the College shall be in accordance with RA 11466, or
19 the "Salary Standardization Law of 2019", and such other laws amendatory thereto, which
20 may hereinafter be enacted, and shall be comparable to that being received by the
21 Deans of similar educational institutions.

22
23 In case of vacancy in the Office of the Dean by reason of death, compulsory
24 retirement, resignation, removal for cause, or incapacity of the Dean to perform the
25 functions of the office, the Board shall, upon the recommendation of the President,
26 designate an Officer-in-Charge (OIC) of the College, pending the appointment of a
27 new Dean: *Provided*, That the OIC shall serve only during the unexpired portion of the
28 term.

29
30 The Dean of the College shall be assisted by a College Secretary, who shall be
31 appointed by the Board.

32
33 **SEC. 6. The Faculty.** – The Board shall, upon the recommendation of the
34 President of the ESSU, appoint the faculty of the College: *Provided*, That no political
35 belief, sex, gender, cultural or community affiliation or ethnic origin, nor religious opinion
36 or affiliation shall be a matter of inquiry in the appointment of the faculty of the College:
37 *Provided, further*, That said appointment shall be subject to the guidelines on
38 qualification standards set by the Board in accordance with the policies of the CHED:
39 *Provided, finally*, That no member of the faculty shall teach for or against any particular
40 religious denomination.

41
42 **SEC. 7. Scholarship Programs and Admission.** – The College shall provide
43 scholarships and other affirmative action programs to assist poor, but deserving students
44 who qualify for admission to the College. Students who have availed themselves of the
45 scholarship program under RA 11509, or the "*Doktor Para sa Bayan Act*", shall render a
46 return service in accordance with the said law. Students availing themselves of other
47 nationally-funded scholarship programs to complete the medicine degree program under
48 the College may be required to render a return service depending on the contract to be
49 signed between the student and the College.

1 No student shall be denied admission to the College by reason of sex, gender,
2 religion, cultural or community affiliation, physical disability, ethnic origin, or any other
3 forms of discrimination.
4

5 **SEC. 8. Academic Freedom.** – The College shall enjoy academic freedom
6 pursuant to Paragraph 2, Section 5 of Article XIV of the Constitution.
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8 **SEC. 9. Loan or Transfer of Supplies, Apparatuses, or Equipment, and Detail**
9 **of Personnel to the College.** – Heads of national government agencies and
10 instrumentalities may, upon the request of the Board through the President of the ESSU,
11 loan or transfer supplies, apparatuses, or equipment, and detail personnel to the College:
12 *Provided, That such loan, transfer or detail shall not be detrimental to public service.*
13

14 The personnel to be detailed to the College shall perform such duties as may be
15 required by the Dean of the College and the time spent for such duties shall be counted
16 as part of the detailed personnel's regular service.
17

18 **SEC. 10. Assets, Liabilities, Records, and Personnel.** – All appropriations,
19 assets, both real and personal, personnel, and records of the College, as well as its
20 liabilities or obligations, shall be titled or named after the ESSU.
21

22 All parcels of land belonging to the government to be occupied by the College shall
23 be the property of the ESSU and titled under its name: *Provided, That should the ESSU*
24 *cease to exist or be abolished or such aforementioned parcels of land be no longer*
25 *needed by the ESSU, the same shall revert to the local government unit concerned or to*
26 *the Republic of the Philippines, as the case may be.*
27

28 **SEC. 11. Duty and Tax Exemptions.** – The importation by the College of medical
29 books or publications, medical equipment or instruments which are for medical, laboratory
30 or scientific purposes shall, upon certification by the CHED, be exempt from customs
31 duties in accordance with the provisions of RA 10863, or the "Customs Modernization
32 and Tariff Act (CMTA)".
33

34 All grants, bequests, endowments, donations, and contributions made to and used
35 actually, directly, and exclusively for educational purposes by the College shall be
36 exempt from donor's tax and the same shall be considered as allowable deductions from
37 gross income for purposes of computing the taxable income of the donor in accordance
38 with the provisions of the National Internal Revenue Code of 1997, as amended.
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40 **SEC. 12. Compliance with the CHED Requirements.** – The provisions of this Act
41 notwithstanding, the establishment of the medical program shall become effective only
42 upon determination and declaration by the CHED that the institution has substantially
43 complied with the policies, standards, and guidelines of the CHED for the Doctor of
44 Medicine Program.
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46 **SEC. 13. Suppletory Application.** – The provisions of RA 8292, otherwise known
47 as the "Higher Education Modernization Act of 1997", shall form part of this Act.
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49 **SEC. 14. Appropriations.** – The amount necessary to carry out the provisions of
50 this Act shall be included in the annual General Appropriations Act.

1 **SEC. 15. *Implementing Rules and Regulations.*** – Within sixty (60) days from the
2 approval of this Act, the Board shall, in consultation with the CHED, issue rules and
3 regulations to implement its provisions.
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5 **SEC. 16. *Separability Clause.*** – If, for any reason, any part or provision of this
6 Act is declared invalid or unconstitutional, the remaining parts or provisions not affected
7 are in full force and effect.
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9 **SEC. 17. *Repealing Clause.*** – All laws, presidential decrees, executive orders,
10 rules and regulations, and other issuances contrary to or inconsistent with the provisions
11 of this Act are amended, repealed, or modified accordingly.
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13 **SEC. 18. *Effectivity.*** – This Act shall take effect fifteen (15) days after its complete
14 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,