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SENATE
S. No. 3592

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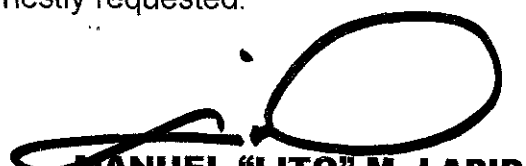
Introduced by **Senator Manuel "Lito" M. Lapid**

EXPLANATORY NOTE

Consistent with the constitutional provision that "The State shall protect and promote the right to health of the people and instill health consciousness among them" (Art. II Sec.15) and that the state shall adopt an integrated and comprehensive approach to health and other social services available to all the people at affordable cost. There shall be priority for the underprivileged, sick, elderly, women and children." (See 11, Art XIII), this bill aims to create a hospital having the nature of corporate body, which render the medical institution more viable and more responsive to the varied demands of patients, whose benefits and facilities are open not only to Manilans but to all Filipinos throughout the land.

The hospital that this bill aims to establish which shall be known as the National Geriatric Health Center which will focus on the medical needs of senior citizens and therefore will be the first of its kind in the Philippines, because while we have a national children's hospital, we don't have yet a National Geriatric Health Center. With this kind of hospital, our senior citizens who are now in the twilight of their years will have the comfort and assurance that the government is truly concerned for the well-being.

The bill likewise envisions the active involvement of the heads of different agencies of the government including local government executives, as well as private and other non-government offices and organizations. The early passage of this bill will communicate a sense of goodwill and gratitude to our senior citizens, thus its immediate passage is earnestly requested.

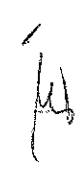


MANUEL "LITO" M. LAPID
Senator

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Introduced by Senator Manuel "Lito" M. Lapid

AN ACT
ESTABLISHING THE NATIONAL GERIATRIC HEALTH CENTRE OF THE PHILIPPINES.

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

SECTION 1. Short Title. - This Act shall be known as the "Dra. Eva Macaraeg-Macapagal National Center for Geriatric Health Act".

SECTION 2. Policy Declaration - It is the policy of the State, consistent with the provisions of the Constitution that the State shall protect and promote the right to health of the people and to instill health consciousness among them" (Sec.15, Art. II) and "the state shall adopt an integrated and comprehensive approach to health and other social services available to all the people at affordable cost. The State shall give priority to the underprivileged, sick, elderly, women and children" (Sec II. Art. XIII)

SECTION 3. Definition of terms. - For purpose of this Act, these term are defined as follows.

- (a) "Senior Citizens" of "Elderly" – any Filipino citizen who is at least sixty (60) years old and is a resident of the Philippines.
- (b) "Geriatric Health Service" – medical services/intervention provided by a Geriatrician;

- (c) "Geriatrics" - the branch of medical science devoted to the study of the biological and physical changes and the diseases of old age;
- (d) "Integrated Delivery of Geriatric Health Services" - hospital and community-based medical and psycho-social service provided to senior citizens by a multi-disciplinary team.

SECTION 4. *Creation of the National Geriatric Health Centre* – There is hereby created a corporate body, for the primary benefit of senior citizens or the elderly to be known as the Dra. Eva Macaraeg-Macapagal National Center for Geriatric Health, herein referred to in this Act as NCGH, which is hereby categorized as a government-owned or controlled corporation.

SECTION 5. *Board of Trustees.* – The **NCGH** shall be administered by a Board of Trustees composed of fifteen (15) members as follows:

- a.) Secretary of the Department of Health – as Chairperson of the Board;
- b.) Secretary of the Department of Social Welfare
- c.) General Manager of the Philippine Retirement Agency;
- d.) President of the League of the Governors of the Philippines;
- e.) President of the Federation of Senior Citizens Association of the Philippines;
- f.) 3 representative each from NGO's, Philippine Medical Association, and the Academe to be appointed by the President of the Philippines upon the recommendation of the Congressman of the 6th District of Manila; and
- g.) Congressman of the 6th District of Manila.

SECTION 6. *Purposes and Objectives.* – The purpose and the objective of the **NCGH** is to provide the following:

- (a.) Hospital-based services – there shall be medical facilities and equipments necessary to provide chronic, long term, and palliative services with its wards to be divided into the following: Dementia; Long Term Care; Palliative Care; Respite Care; and other units as may be deemed necessary;

- (b.) Community-based services – to develop and implement community-based program in partnership with local government units; conduct *research and external resource outsourcing to implement community-based integrated geriatric health services*; and conduct training necessary for the social functioning of the senior citizens and their families, utilizing the *multi-disciplinary team approaches*;
- (c.) Education - to provide field of specialization in Geriatrics and Gerontology, conduct post graduate training and short term courses for medical doctors and medical allied professionals subject to the Joint Guidelines to be issued by the Department of Health, the Commission on Higher Education, and the Technological Employment and Skills Education Development Authority;
- (d.) Program Development, Research, Medical/Technical Assistance and Quality assurance – to develop cutting edge research and program to *combat diseases of old age in promoting active and healthy care*, provide necessary consultancy advise, technical assistance and standards setting/registration to Geriatric ward in every Tertiary Hospital, Nursing Homes, Retirement Homes, and Residential Center catering to the health and social functioning needs of senior citizens, *subject to the Joint Guidelines mentioned in the immediately-preceding paragraph*; and
- (e.) To establish Geriatric Wards manned by medical personnel with expertise and/or training in Geriatric in every government and private *tertiary hospital subject to the Guidelines that shall be issued by the Department of health*.

SECTION 7. Powers. - For the attainment and furtherance and the above-cited purposes and objectives, the **NCGH**, as a body corporate acting through its Board of Trustees, shall have all the powers pertaining to a juridical person, and is therefore authorized, among others to:

- a. acquire, hold and own in any manner, property of whatever nature or description, and to dispose of such property under any mode of *encumbrance or conveyance*;

- b. enter into, make, perform and carry out contacts of every kind and for any purpose with any person, firm, association or corporation, whether public or private, domestic or foreign;
- c. mortgage, lease, sell, transfer, convey or otherwise dispose of its properties;
- d. solicit and receive donations, endowments, and funds in the form of contributions, whether cash or in kind, from both the public and private sectors and from domestic and foreign sources;
- e. open such accounts in banks and other financial institutions, and to disburse such funds or invest the same as the Board of Trustees may direct or authorize to accomplish or advance the purpose or interest of the **NCGH**;
- f. invite foreign or local specialist and similar experts in various medical fields to train the personnel, trainees and residents of the **NCGH**;
- g. send the personnel of the **NCGH** to research and medical institutes for advance training or observation, and to attend international or regional conventions, conferences or seminars as the Board of Trustees may deem necessary to accomplish the purposes and the objectives of the **NCGH**;
- h. enter into such agreements and arrangements with other medical or similar institutions, domestic or foreign, as may be deemed desirable by the Board of Trustees toward promoting the purposes and objectives of the **NCGH**;
- i. adopt a set of by-laws and regulations, policies, guidelines and procedures consistent with law and the provisions of this act to govern the administration and operation of the **NCGH**; and
- j. do all such other acts and things as are or may be necessary for or incidental to the accomplishment of the purposes and objectives of the **NCGH**.

SECTION 8. Program for Indigents – The Board of Trustees shall ensure that the **NCGH** shall adopt and enforce a program for indigents. The number of beds allocated for indigent patients shall not be less than twenty percent (20%) of the total number of hospital beds.

SECTION 9. Security of Tenure of Civil Services Officers and Employees of the **NCGH**. – The provisions of Republic Act No. 6656, entitled "An Act to Protect the Security of Tenure of Civil Service Officers and Employees

in the Implementation of Government Reorganization”, existing civil service laws, rules and regulations and other applicable laws shall apply to all officers and employees of the **NCGH**, except to the members of its Board of Trustees.

SECTION 10. Tax Exemption and other Privileges. – Being a non-profit, non-stock corporation organized primarily to provide delivery of integrated geriatric health services to promote healthy aging in the Philippines and help combat the increasing incidence of degenerative diseases, frailty and disability, and provide services for senior citizens with the threatening diseases in the Philippines –

- (a) all donations, contributions, endowments and equipments and supplies imported by the **NCGH** for its actual use and benefit shall be exempt from tax of any nature or kind;
- (b) the **NCGH** shall be exempt from the payment of taxes, charges and fees being imposed by the government, its political subdivisions or instrumentalities, including local government units for equipments purchased for its use; and
- (c) the **NCGH** may request and receive assistance from different Agencies, Bureaus, Offices, or Instrumentalities of the government, including the Philippine Charity Sweepstakes Office and the Philippine Amusement and Gaming Corporation in the pursuit of its purposes and objectives.

SECTION 11. Government Subsidy and Contributions. – The amount of Three Hundred Million Pesos (Php300,000,000.00) is hereby appropriated as contribution of the National Government for its initial operations and maintenance of the **NCGH** for the year 2010. Thereafter, the amount necessary for the continued operation and maintenance of the **NCGH** shall be duly provided for, appropriated and released from the National Budget. Such funds shall be administered by the Board of Trustees.

SECTION 12. Auditing. – The books of account of the **NCGH** shall be subject to periodic audit by an independent auditing firm to be commissioned by its Board of Trustees; Provided that, such audit shall be subject to review by the Commission on Audit.

SECTION 13. Annual Report. – The **NCGH** shall render to the President of the Philippines, the Committees on Health and Social Services in both Houses of Congress, Secretary of the Department of Health, and the Secretary of the Department of Social Welfare and Development an annual report on its activities, accomplishments and recommendations.

SECTION 14. Implementing Rules and Regulations. - The Secretary of Health shall, within sixty (60) days from the effectivity of this Act, promulgate the *Implementing Rules and Regulations* for the effective and efficient implementation of the provisions of this Act in consultation with the following agencies and offices:

- (a) Department of Social Welfare and Development;
- (b) Department of Finance;
- (c) *Commission on Higher Education*;
- (d) Philippine Retirement Agency;
- (e) Department of Interior and Local Government;
- (f) Technical Education and Skills Development Authority; and
- (g) A Medical Association, Senior Citizens organization, and other NGO,

SECTION 15. Effect of Dissolution. – In the event the **NCGH** is dissolved for any reason, its property remaining at the time of such dissolution shall be placed under the 6th Congressional District of the City of Manila for disposition in accordance with law.

SECTION 16. Repealing Clause. – All laws, decrees, ordinances, rules and regulations, executives or administrative orders, and other presidential issuances inconsistent with this Act are hereby repealed, amended or modified accordingly.

SECTION 17. Effectivity Clause. – This Act shall take effect immediately upon its approval.

Approved,