

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

'17 FEB -9 AIO :52

RECEIVED BY: _____



S E N A T E
S. B. No. 1321

Introduced by Senator Aquilino "Koko" Pimentel III

AN ACT
CONVERTING THE NATIONAL CENTER FOR
GERIATRIC HEALTH INTO A CORPORATE BODY TO
BE KNOWN AS THE "NATIONAL CENTER FOR
GERIATRIC HEALTH AND RESEARCH INSTITUTE,"
AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

This bill seeks to convert the National Center for Geriatric Health into a corporate body to be known as the "National Center for Geriatric Health and Research Institute" which will provide a full range of health care services, including primary care, wellness services, and behavioral health care to the elderly population of the country.

Article XIII, Section 11 of the Constitution provides, in part, that "The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers."

Consistent with this constitutional provision, this bill aims to establish the National Geriatric Health and Research Institute, a specialized hospital which will cater to the elderly of the country. It will be the first of its kind in the Philippines. Its establishment is long overdue considering the continuing increase in our country's population of people aged sixty and above. In 2000, there were 4.6

million senior citizens, representing about 6% of the total population. In one decade, this grew to 6.5 million or about 6.9% of the total population. In 2015, senior citizen population increased further to 7.8 million or 7.6% of the total population.

The National Geriatric Health and Research Institute will ensure the availability and accessibility of medical services for the elderly. Also, the facility will enable our elderly population who are most vulnerable to diseases to avail of much needed specialized health care. As a tribute to our country's elderly citizens who have served and contributed their talent and time to the society in the prime of their life, it is only fitting to establish a health and research facility, which will primarily provide geriatric health services.

In view of foregoing considerations, approval of this bill is earnestly sought.


AQUILINO "KOKO" PIMENTEL III



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RESEARCH INSTITUTE," AND APPROPRIATING FUNDS
THEREFOR

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
"National Center for Geriatric Health and Research Institute Act."

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of
the State to protect and promote the right to health of older persons by
ensuring that health services are available and accessible to them
through the establishment of a specialized hospital that will cater to their
medical needs.

SEC. 3. *Definition of Terms.* – As used in this Act:

(a) *Geriatric health services* refer to the medical services or
intervention provided by a multi-disciplinary team usually
headed by a Geriatrician;

(b) *Geriatrician* refers to a medical doctor who has passed the
necessary training and examination, and specializes in the
field of Geriatrics;

- 1 (c) *Geriatrics* refers to the sub-specialty of Internal Medicine
2 that aims to promote health, and to prevent and treat
3 disabilities of older adults;
- 4 (d) *Gerontology* refers to the study of the biological,
5 psychological, spiritual, social, economic, and demographics
6 aspects of the aging process;
- 7 (e) *Integrated delivery of geriatric health services* refers to
8 hospital and community-based medical and psycho-social
9 services provided to senior citizens by a multi-disciplinary
10 team.
- 11 (f) *Multi-disciplinary team* refers to a team composed of health
12 professionals headed by a geriatrician and includes surgeons,
13 organ-system specialist, nurses, clinical pharmacist,
14 rehabilitation therapists, nutritionists, dentists, social
15 workers, caregivers, family members, and patients
16 themselves; and
- 17 (g) *Senior citizens or older persons* refer to Filipino citizens who
18 are at least sixty (60) years old.

19 **SEC. 4.** *Conversion of the National Center for Geriatric Health*
20 *(NCGH).* – The National Center for Geriatric Health (NCGH), located in
21 San Miguel, Manila, is hereby converted into a corporate body to be
22 known as the “National Center for Geriatric Health and Research
23 Institute” (NCGHRI). The NCGHRI shall be attached to the Department
24 of Health (DOH) for the primary benefit of senior citizens or the elderly.
25 The bed capacity of the hospital shall be increased from fifty (50) to one
26 hundred (100).

27 **SEC. 5.** *Purposes and Objectives.* – The NGH shall have the
28 following purposes and objectives:

- 29 (a) Equip, maintain, administer, and operate an integrated
30 medical institution, which shall specialize in geriatric health
31 services;
- 32 (b) Provide and maintain affordable, quality, and timely hospital
33 care through an efficient health service delivery system,
34 which prioritizes the need of the elderly and the resources
35 which will provide free medical care to indigent citizens;

- 1 (c) Finance, sponsor, hold, or participate in congresses,
2 conventions, conferences, seminars, workshops, and training
3 programs on geriatric health services or related fields in the
4 Philippines and abroad;
- 5 (d) Encourage and assist in the education and training of
6 physicians, nurses, health officers, social workers, and other
7 medical and technical personnel in the practical and scientific
8 implementation of health services to the older persons;
- 9 (e) Coordinate the various efforts and activities of other
10 government agencies and local government units for the
11 purpose of achieving a more effective approach to the
12 delivery of geriatric health services; and
- 13 (f) Extend medical services to elderly persons pursuant to the
14 goals, objectives, and rules of the National Health Insurance
15 Program (NHIP).

16 **SEC. 6. *Scope of Services.*** – Consistent with its purposes and
17 objectives, the NCGHRI shall provide the following services:

- 18 (a) Hospital-based services to ensure the availability of medical
19 facilities and equipment necessary to provide long term and
20 palliative services with its wards divided into the following:
21 dementia, long term care, palliative care, respite care, and
22 other units as may be deemed necessary;
- 23 (b) Community-based services to develop and implement
24 community-based programs in partnership with local
25 government units, conduct research and external resource
26 outsourcing to implement community-based integrated
27 geriatric health services, and conduct training necessary for
28 the social functioning of senior citizens and their families,
29 utilizing the multi-disciplinary team approaches;
- 30 (c) Education programs to pursue excellence and the highest
31 level of practice in the specialized field of geriatrics and
32 other related fields, and to conduct post-graduate training and
33 short-term courses for medical doctors and allied medical
34 professions;

1 (d) Program development and research to develop cutting edge
2 researches and programs to combat diseases of old age,
3 promote active health care, and to provide necessary
4 consultancy service, technical assistance, and standard setting
5 for geriatric wards in every tertiary level hospital, nursing
6 homes, and residential center catering to the health and
7 functioning needs of senior citizens, in coordination with the
8 Philippine Council on Health Research and Development
9 (PCHRD) and the Institute of Aging of the National Institute
10 of Health (IA-NIH); and

11 (e) Assistance in the installation of a “senior citizens ward” in
12 every government hospital for the exclusive use of senior
13 citizens who are in need of hospital confinement by reason of
14 their health conditions, pursuant to *Section 5 (c) of Republic*
15 *Act 9994* otherwise known as the “*Expanded Senior Citizens*
16 *Act of 2010.*”

17 **SEC. 7. Board of Trustees.** – The NCGHRI shall be administered
18 by a Board of Trustees, hereinafter referred to as the Board, to be
19 composed of the following:

- 20 (a) Secretary of Health, as Chairperson;
- 21 (b) Secretary of Social Welfare and Development, as Vice-
22 Chairperson;
- 23 (c) Director of the Institute of Aging of the National Institute of
24 Health;
- 25 (d) CEO/President of the Philippine Health Insurance
26 Corporation;
- 27
- 28 (e) President of the Federation of Senior Citizens Association of
29 the Philippines;
- 30 (f) President of the Society of Geriatrics and Gerontology;
- 31 (g) One representative from the Philippine Medical Association
32 with expertise in the field of geriatrics and gerontology;
- 33 (h) One representative from non-government organizations
34 which provide services for senior citizens, duly registered

1 with the Securities and Exchange Commission (SEC) or any
2 appropriate regulatory body, and with programs accredited
3 by the Department of Social Welfare and Development
4 (DSWD), as member;

5 (i) Two representatives from the private sector; and

6 (j) Chief Executive Officer of the Hospital.

7 The members of the Board enumerated in subparagraphs (a), (b),
8 (c), and (d) shall serve as ex-officio members. The ex-officio members
9 of the Board may designate their respective alternates who shall be the
10 officials next-in-rank to them and whose acts shall be considered the acts
11 of their principals.

12 The members of the Board under subparagraphs (e), (f), (h), (i),
13 and (j) shall be appointed by the President of the Philippines, upon the
14 recommendation of the Secretary of Health for the first initial
15 appointees, and then by the Board for subsequent appointees.

16 The appointive members of the Board shall serve for one (1) year,
17 unless sooner removed for a cause.

18 No person shall be appointed member of the Board unless a citizen
19 and a resident of the Philippines, of good moral character, and has
20 attained proficiency, expertise, and recognized competence in one or
21 more of the following fields: hospital finance and administration,
22 medical care, public health care, government rules and regulations, law,
23 business management, or marketing. The members of the Board should
24 have at least five (5) year experience in their fields of expertise.

25 To maintain the quality of management, the DOH, in coordination
26 with the DSWD, subject to the approval of the President, shall prescribe,
27 pass upon, and review the qualifications and disqualifications of
28 individuals appointed as members of the Board and shall disqualify
29 those found unfit.

30 The Board shall be governed by a set of by-laws, which shall
31 include the members' responsibilities, accountabilities, and cause of
32 termination.

33 The members of the Board shall be composed of a maximum of
34 fifteen (15) members.

1 **SEC. 8. Powers and Functions.** – The Board shall have the
2 following powers and functions in addition to its general powers of
3 administration:

4 (a) Formulate and adopt the by-laws, rules and regulations,
5 policies, guidelines, and procedures consistent with law and
6 the provisions of this Act to govern the administration and
7 operations of the NCGHRI;

8 (b) Formulate and develop programs for the enhancement of
9 healthcare services for older persons, including the training
10 of NCGHRI personnel and resident doctors;

11 (c) Enter into such agreements and arrangements with other
12 medical institutions, domestic or foreign, as may be
13 necessary, in attaining the purposes and objectives of the
14 NCGHRI;

15 (d) Receive in trust legacies, gifts, and donations, or real and
16 personal properties of all kinds, and to administer the same
17 for the benefit of the NCGHRI, in accordance with the
18 directions and instructions of the donor, and in default
19 thereof, in such manner as the Board of Trustees may, in its
20 discretion, determine;

21 (e) Receive and appropriate to the ends specified by law such
22 sums as may be provided by law for the support of the
23 NCGHRI; and

24 (f) Perform all such other acts as maybe necessary for or
25 incidental to the accomplishment of the objectives of the
26 NCGHRI.

27 **SEC. 9. Organizational Structure and Staffing Pattern.** – The
28 Board shall determine the organizational structure and staffing pattern of
29 the NCGHRI subject to the evaluation by the Civil Service Commission
30 and of the Organization Position Classification and Compensation
31 Bureau of the Department of Budget and Management (DBM) and the
32 DOH. The Board may reorganize said structure, modify the staffing
33 pattern, and create or abolish divisions, sections, or units in the
34 NCGHRI.

1 **SEC. 10. *Corporate Officers.*** – The Board shall appoint a
2 Secretary and such other officers as may be deemed necessary to carry
3 out its objectives. Selection of the corporate officers must be based on
4 the fundamental and specific qualifications prescribed by existing laws.

5 **SEC. 11. *Chief Operating Officer.*** – The NCGHRI shall be headed
6 by a Chief Operating Officer (COO), who shall be appointed by the
7 President of the Philippines for a term of one (1) year and renewable
8 upon the recommendation of the Secretary of Health.

9 The COO shall exercise the following powers and functions:

- 10 (a) Execute the policies, guidelines, and programs approved by
11 the Board, and be responsible for the efficient discharge of
12 management and operational functions;
- 13 (b) Submit for the consideration and approval of the Board
14 proposed measures, policies, guidelines, and programs as
15 may be deemed necessary or proper for the effective
16 implementation of the purposes and objectives of the Act;
- 17 (c) Direct and supervise the management, operation, and
18 administration of the NCGHRI, and may delegate this power
19 and any or some of his administrative responsibilities and
20 duties to the other officers of the NCGHRI;
- 21 (d) Execute, on behalf of the Board, all contracts and agreements
22 which the latter may enter into, and to execute, accomplish,
23 and deliver any and all documents relative to such contracts
24 and agreements;
- 25 (e) Represent the NCGHRI in all dealings with other persons or
26 entities, whether domestic or foreign, and whether
27 government and private;
- 28 (f) Determine the staffing pattern and the number of personnel
29 of the NCGHRI and define their duties and responsibilities;
- 30 (g) Recommend to the Board the appointment, promotion,
31 transfer, dismissal, and suspension of officers and employees
32 of the NCGHRI; and

1 (h) Exercise such other powers and perform such other duties as
2 may be vested or reposed by the Board.

3 **SEC. 12.** *Board of Trustees' Meetings and Quorum.* – The Board
4 shall hold meetings at least once a month. Special meetings may be
5 convened at the call of the Chairperson or by the majority of the
6 members of the Board. Six (6) members of the Board shall constitute a
7 quorum for the transaction of official business.

8 **SEC. 13.** *Property of NCGHRI.* – The property of NCGHRI shall
9 consist of real, personal, and other types of property previously owned
10 by, or reserved for, the NCGHRI, or property which may hereafter be
11 given, donated, acquired, transferred, or conveyed to it by the Philippine
12 government, its branches and instrumentalities, or any foreign
13 government, as well as by trust, foundation, corporations or persons,
14 alien or domestic, in order to carry out its purposes and objectives as set
15 forth herein.

16 **SEC. 14.** *Appointment by the Board.* – The Board shall have the
17 authority to appoint, promote, transfer, remove, suspend, or otherwise
18 discipline the officers or employees of the NCGHRI upon the
19 recommendation of the COO, subject to Civil Service laws, rules, and
20 regulations.

21 **SEC. 15.** *Executive Committee.* – The Board may, by a resolution
22 approved by the majority of all its members, create an Executive
23 Committee of not more than five (5) members whom it shall appoint. At
24 least three (3) members of the Executive Committee shall be members of
25 the Board. The Executive Committee shall exercise all such powers as
26 may be delegated to it by the Board. The Executive Committee shall
27 keep regular minutes of its proceedings and report the same to the Board
28 whenever required. The Board shall have the power to change the
29 members of the Executive Committee at any time, to fill vacancies
30 therein and to discharge or dissolve such Committee either with or
31 without cause.

32 **SEC. 16.** *Compensation of Members of the Board of Trustees.* –
33 The members of the Board, by resolution of the majority of the members
34 in good standing of the NCGHRI, may claim expenses for their
35 attendance in regular or special meetings: *Provided, however,* that actual
36 and necessary expenses of the members of the Board, while serving the
37 interests of NCGHRI and in pursuit of its defined objectives and
38 purposes, may be allowed by special board resolution.

1 The appointive non-government members of the Board shall be
2 entitled to honorarium for each meeting actually attended at rates
3 determined under existing laws, rules, and regulations.

4 **SEC. 17.** *Civil Service Law Coverage for Employees.* – The hiring,
5 appointment, promotion, discipline, and other terms and conditions of
6 the service of all employees of the NCGHRI shall be consistent with the
7 provisions of the Civil Service laws, rules, and regulations, except as
8 otherwise provided for in this Act.

9 **SEC. 18.** *Security of Tenure of Civil Service Officers and*
10 *Employees of the Corporation.* – The provision of Republic Act No.
11 6656 entitled, “An Act to Protect the Security of Tenure of Civil Service
12 Officers and Employees in the Implementation of Government
13 Reorganization” and other existing laws shall apply to all officers and
14 employees of NCGHRI except to the members of the Board.

15 **SEC. 19.** *Salaries, Benefits, and Other Compensation.* – The
16 salaries, benefits, and other compensation of the officers and employees
17 of the NCGHRI shall be in accordance with the existing compensation
18 and the standard position classification for employees of the
19 government. *Provided, That* there shall be no diminution in the salaries
20 and benefits of the employees and officers.

21 **SEC. 20.** *Early Retirement and Separation Benefits.* – Officials
22 and employees of the NCGHRI voluntarily opting for separation or
23 retirement shall be entitled to the benefits provided for under existing
24 laws.

25 **SEC. 21.** *Assistance from Other Government Offices.* – The
26 NCGHRI may call upon any department, bureau, office, agency, or
27 instrumentality of the government, for such assistance, as it may need in
28 the pursuit of its purposes and objectives.

29 All individuals, entities, and institutions are hereby enjoined to
30 render full assistance and cooperation to the NCGHRI in the
31 accomplishment of its objectives and activities.

32 **SEC. 22.** *Program for Indigents.* – The Board shall ensure that the
33 NCGHRI shall adopt and enforce a program for indigents. The number
34 of beds allocated for the indigent patients shall not be less than forty
35 percent (40%) of the total number of hospital beds.

1 **SEC. 23. *Tax Exemptions.*** – Any donation, bequest, and grant
2 shall be exempt from donor’s tax and the same shall be considered as
3 allowable deduction from the gross income of the donor in accordance
4 with the provisions of the *National Internal Revenue Code of 1997*, as
5 amended.

6 The NCGHRI is hereby declared exempt from all income and all
7 other internal revenue taxes, tariff, and customs duties, and all other
8 kinds of taxes, fees, charges, and amendments levied by the government
9 and its political subdivisions, agencies, and instrumentalities.

10 **SEC. 24. *Hospital Trust Fund.*** – All funds not coming from the
11 General Appropriations Act, such as contributions from taxes and
12 assessments from authorized sweepstakes lotteries, donations, legacies,
13 and endowment from various sources, domestic and foreign entities and
14 individuals, and income of pay wards and other hospital services shall be
15 used and disbursed only upon the authorization of the Board for the
16 purposes of enhancing the health services for the elderly and the
17 improvement of hospital facilities, which include the purchase of
18 medicines, supplies, hospital beds, equipment, and career advancement.
19 *Provided, That* disbursements shall be in accordance with existing
20 accounting and auditing rules and regulations: *Provide, further, That* the
21 fund shall be exclusive for hospital utilization and shall not be used to
22 cover personnel services expenditures.

23 **SEC. 25. *Transfer of Personnel, Assets, Records, and Equipment.***
24 – All personnel, assets, records, equipment, and liabilities of the NCGH
25 are hereby transferred to and shall henceforth appertain to the NCGHRI
26 as a Corporation.

27 **SEC. 26. *Annual Report.*** – The NCGHRI, through its Board, shall
28 submit an annual report to the President of the Philippines, the Senate
29 Committee on Health and Demography, and the House Committee on
30 Health, on its activities, accomplishments, and recommendations to
31 better improve the delivery of geriatric health services.

32 **SEC. 27. *Auditor.*** – The Commission on Audit shall appoint a
33 representative who shall be the auditor of the NCGHRI and such
34 personnel as may be necessary.

1 **SEC. 28. *Effect of Dissolution.*** – In the event that NCGHRI is
2 dissolved for any reason, all its remaining properties at the time of such
3 dissolution shall be placed under the custody of DOH.

4 **SEC. 29. *Appropriations.*** – The amount necessary for the
5 implementation of this Act shall be charged to the DOH appropriations
6 under the current General Appropriations Act (GAA). Thereafter, such
7 sum as may be necessary for the continued operation of the NCGRHI
8 shall be included in the annual GAA.

9 **SEC. 30. *Implementing Rules and Regulations.*** – Within sixty (60)
10 days from the effectivity of this Act, the DOH, in coordination with the
11 DSWD, and the DBM, shall promulgate such rules and regulations
12 necessary for the effective implementation of this Act.

13 **SEC. 31. *Separability Clause.***- If any provision of this Act is
14 declared unconstitutional, the remainder of this Act or any provisions
15 not affected thereby shall remain in full force and effect.

16 **SEC. 32. *Repealing Clause.*** – All laws, decrees, orders,
17 proclamations, rules and regulations, or parts thereof, which are
18 inconsistent with this Act are hereby repealed, amended, or modified
19 accordingly.

20 **SEC. 33. *Effectivity Clause.*** – This Act shall take effect fifteen
21 (15) days after publication in two (2) newspapers of general circulation.

Approved,