



S E N A T E

S. No. 2421

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AND CAYETANO AS AUTHORS THEREOF

AN ACT GRANTING COVID-19 BENEFITS AND
ALLOWANCES TO PUBLIC AND PRIVATE
HEALTH WORKERS DURING THE STATE OF
PUBLIC HEALTH EMERGENCY, PROVIDING
FUNDS THEREFOR AND FOR OTHER PURPOSES

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

1 SECTION 1. *Short Title.* – This Act shall be known and
2 cited as “COVID-19 Benefits and Allowances for Health
3 Workers Act of 2022.”

4 SEC. 2. *Declaration of Policy.* – It is the policy of the
5 State to instill health consciousness among our people and
6 to ensure that the general welfare of Filipino health

1 workers is promoted through adequate compensation and
2 benefits commensurate with the services they provide. The
3 State recognizes the paramount importance of public and
4 private health workers for the continuous delivery of
5 health services, disease prevention and promotion of
6 health in general. Towards this end, the State shall ensure
7 the welfare and adequate support for our health workers
8 and guarantee that all benefits owing to them shall be
9 provided to them with utmost efficiency, especially during
10 the existence of a national public health emergency.

11 SEC. 3. *Definition of Terms.* – For the purposes of
12 this Act, the following terms are hereby defined as follows:

13 (a) *Health facilities* shall refer to any public or private
14 institutions that have health care as their core service,
15 function or business. Health care pertains to the
16 maintenance or improvement of the health of individuals
17 or populations through the prevention, diagnosis,
18 treatment, rehabilitation and chronic management of
19 disease, illness, injury and other physical and mental
20 ailments or impairments of human beings.

1 For purposes of this Act, health facilities and other
2 health related establishments shall refer to those duly
3 licensed and designated by the Department of Health
4 (DOH) for COVID-19 response in accordance with the
5 department's guidelines.

6 (b) *Health workers and non-health workers* shall refer
7 to all public and private medical, allied medical,
8 administrative, technical and support personnel and other
9 necessary personnel employed by, and assigned in
10 hospitals, health facilities, laboratories, medical or
11 temporary treatment and monitoring facilities, or
12 vaccination sites and those who are involved in COVID-19
13 response to mitigate the transmission of COVID-19 and
14 prevent further loss of lives in line with the National
15 Action Plan COVID-19 strategy of prevention, detection,
16 isolation, treatment, rehabilitation, and vaccination
17 (PDITR+) strategy.

18 Barangay health workers (BHWs) who are part of the
19 DOH National BHW Registry System, assigned in health
20 facilities including swabbing and vaccination sites and

1 those administering medical assistance, including those
2 assigned in barangay health emergency response teams or
3 their successor entities and involved in COVID-19 response
4 are included as health workers for purposes of this Act;

5 (c) *Risk Exposure Categorization* refers to the
6 following levels of exposure:

7 (i) Low risk exposure – health workers performing
8 administrative duties in non-public areas of health
9 facilities, away from other staff members or away from
10 patients, may be known as "clean areas".

11 (ii) Medium risk exposure – health workers within
12 the health facility that are providing direct physical care to
13 the general public who are not known or suspected COVID-
14 19 patients and working at busy staff work areas within a
15 health facility.

16 (iii) High risk exposure – health workers entering a
17 COVID-19 patient's room to directly provide care for
18 COVID-19 patient whether involving aerosol-generating
19 procedures, such as intubation, cough induction
20 procedures, bronchoscopies, some dental procedures and

1 exams, or invasive specimen collection as well as those
2 collecting or handling specimens from known or suspected
3 COVID-19 patients.

4 SEC. 4. *Coverage.* – This Act shall apply to all public
5 and private health workers, regardless of employment
6 status, as defined under this Act during the state of public
7 health emergency as declared by the President: *Provided,*
8 That the COVID-19 risk allowance and compensation for
9 sickness and death under Section 5(a) and (b) of this Act
10 shall also apply to non-medical workers and outsourced
11 personnel hired under institutional or individual contract
12 of service or job order basis and assigned in health
13 facilities involved in COVID-19 response.

14 SEC. 5. *Grant of COVID-19 Risk Allowance,*
15 *Compensation Package and Other Benefits.* – The national
16 government shall grant the following benefits to covered
17 individuals under Section 4 hereof:

18 (a) Provision of COVID-19 Risk Allowance for every
19 month served, regardless of quarantine status; with the

1 following amounts depending on risk exposure
2 categorization:

3 (i) Those deployed in “low risk areas” shall be given
4 Three thousand pesos (P3,000.00);

5 (ii) Those deployed in “medium risk areas” shall be
6 given Six thousand pesos (P6,000.00); and

7 (iii) Those deployed in “high risk areas” shall be given
8 Nine thousand pesos (P9,000.00).

9 *Provided*, That the COVID-19 Risk Allowance shall
10 be in addition to the benefits for health workers under
11 Republic Act No. 7305 or the “Magna Carta of Public
12 Health Workers” and other forms of hazard pay as a result
13 of collective bargaining agreements with private
14 employers: *Provided, further*, That the allowance shall be
15 released in full if a health worker physically reports for at
16 least ninety-six (96) hours in a month, otherwise, the
17 benefit shall be prorated: *Provided, further*, That the
18 COVID-19 Risk Allowance shall be released monthly;

1 (a) Provision of compensation to those who have
2 contracted COVID-19 in the line of duty with the following
3 amounts:

4 (i) In case of death of the covered individual, One
5 million pesos (P1,000,000.00) shall be provided to the heirs
6 of the covered individuals;

7 (ii) In case of sickness, for a severe or critical case,
8 One hundred thousand pesos (P100,000.00) shall be
9 provided to the covered individuals; and

10 (iii) In case of sickness, for a mild or moderate case,
11 Fifteen thousand pesos (P15,000.00) shall be provided to
12 the covered individuals:

13 *Provided*, That the compensation provided herein
14 shall be given to the beneficiaries not later than three (3)
15 months after the date of confinement or death and upon
16 submission of complete and compliant documentary
17 requirements;

18 (b) Regular COVID-19 testing of health workers by
19 PhilHealth: *Provided*, That the frequency of which shall be
20 determined by the DOH; and

1 (c) Full PhilHealth coverage for direct healthcare
2 costs of hospitalized health workers due to COVID-19.

3 SEC. 6. *Retroactivity.* – The benefits under this Act
4 shall have retroactive application from July 1, 2021 and
5 shall remain in full force and effect during the state of
6 national public health emergency as declared by the
7 President.

8 SEC. 7. *Appropriations.* – The amount necessary for
9 the implementation of this Act shall be charged against the
10 current year available appropriations of the DOH and any
11 sources available as may be identified by the Department
12 of Budget and Management (DBM). Thereafter, the
13 amount necessary for its continuous implementation
14 during the state of national public health emergency,
15 including any deficiency in the funding of the COVID-19
16 benefits and allowances for the years 2021 and 2022, shall
17 be included in the Annual General Appropriations subject
18 to existing budgeting, accounting and auditing rules and
19 regulations.

1 Notwithstanding the provisions under Section 69 of
2 Republic Act No. 11518 or the Fiscal Year (FY) 2021 GAA,
3 as amended by Republic Act No. 11640, and Section 75 of
4 Republic Act No. 11639 or the FY 2022 GAA, the President
5 is hereby authorized to exercise powers that are necessary
6 and proper to undertake and implement the grant of
7 COVID-19 benefits and allowances under this Act and
8 reprogram, reallocate, and realign unreleased
9 appropriations and unobligated allotments under the
10 executive department, including government-owned or
11 -controlled corporations, in the FYs 2021 and 2022 GAAs
12 as may be necessary to augment the available
13 appropriations for the grant of COVID-19 benefits and
14 allowances under this Act: *Provided*, That unreleased
15 appropriations and unobligated allotments for
16 infrastructure and social assistance projects shall not be
17 discontinued, reprogrammed, reallocated or realigned for
18 the above purpose. Any programs, activities or projects
19 (P/A/P) declared as savings for this purpose may be revived

1 and proposed for funding in the subsequent GAAs as
2 necessary.

3 The DBM shall release the funds for the payment of
4 the COVID-19 benefits and allowances consistent with this
5 Act.

6 SEC. 8. *Implementing Rules and Regulations.* –
7 Within thirty (30) days from the effectivity of this Act,
8 DOH, DBM and the Department of Finance (DOF), in
9 consultation with other government agencies and
10 concerned stakeholders, shall promulgate the
11 Implementing Rules and Regulations to carry out the
12 provisions of this Act: *Provided*, That the non-
13 promulgation of the rules and regulations provided under
14 this section shall not prevent the immediate
15 implementation of this Act upon effectivity.

16 SEC. 9. *Repealing Clause.* – All laws, decrees,
17 executive orders, executive issuances or letters of
18 instruction, rules and regulations or any part thereof
19 inconsistent with or contrary to the provisions of this Act

1 are hereby deemed repealed, amended or modified
2 accordingly.

3 SEC. 10. *Separability Clause.* – If, for any reason or
4 reasons, any part or parts of this Act shall be declared
5 unconstitutional or invalid by any competent court, other
6 sections or provisions hereof not affected thereby shall
7 continue to be in full force and effect.

8 SEC. 11. *Effectivity Clause.* – This Act shall take
9 effect immediately after its publication in the *Official*
10 *Gazette* or in a newspaper of general circulation.

Approved,