



Senate
Office of the Secretary

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

'22 JUL 18 P 3:45

SENATE
S. No. 727

RECEIVED BY: _____

Introduced by Senator Ronald "Bato" Dela Rosa

AN ACT
AMENDING REPUBLIC ACT NO. 7305, OTHERWISE KNOWN AS THE MAGNA
CARTA FOR PUBLIC HEALTH WORKERS AND FOR OTHER PURPOSES

EXPLANATORY NOTE

According to a Department of Health (DOH) presentation last September 2021, the Philippines' total number of Health Care Workers (HCWs) is at five hundred twenty-six thousand, seven hundred and twenty-seven (526,727). Of this number, four hundred sixty-two thousand, nine hundred fifty-five (462,955) HCWs are public health workers.

This is no small number. Over four hundred thousand health care workers who constantly devote themselves to the sacred duty of caring for others, at the risk of personal safety. Hence, this also means that over four hundred thousand public health workers in the Philippines are in constant need of good support from the government.

As part of fulfilling its duty to establish and maintain manpower development and research, the State must therefore secure the well-being of its public health care workers. Such is precisely what this bill intends to do.

Among the important features of this measure is to mandate the establishment of a new salary scale, following Republic Act No. 11466 or the Salary Standardization

Law of 2019, provided that the benchmark for the position of Rural Health Position shall be Salary Grade (SG) 24, while it shall be SG 16 for the position of Nurse I.

This measure also proposes several changes to the allowances to which our public health care workers are entitled. Among these changes is the addition of the following allowances: a Special Risk Allowance and a Rice Subsidy Allowance. Further, the allowance for Laundry shall now include clothing.

Under this bill, it is also provided that if a public health care worker contracts any disease or is injured in the performance of their duty, they shall be entitled to the amount of one hundred pesos (P100,000.00). On the other hand, in the unfortunate event that the worker dies in the course of fulfilling their duty, the amount of one million pesos (P1,000,000.00) shall be given.

Surely, one cannot put a price on the act of securing good health. At the same time, the value of our public health care workers' contribution cannot be quantified. Nevertheless, in the same way that our health care workers do not flee in the face of a health crisis, neither must lawmakers shirk away from the opportunity to ensure the establishment of a well-functioning healthcare system. For this reason, I earnestly seek the swift passage of this bill into law.


RONALD "BATO" DELA ROSA



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

1 Sec. 1. Section 3 of Republic Act No. 7305, otherwise known as the "Magna
2 Carta for Public Health Workers" is hereby amended as follows:

3 "Sec. 3. [Definition] **COVERAGE.** - [~~For purposes of this Act,~~
4 ~~"health workers" shall mean all persons who are engaged in~~
5 ~~health and health-related work, and all persons employed in all~~
6 ~~hospitals, sanitarium, health infirmaries, health centers, rural health~~
7 ~~units, barangay health stations, clinics and other health-related~~
8 ~~establishments owned and operated by the Government or its~~
9 ~~political subdivisions with original charters and shall include~~
10 ~~medical, allied health professional, administrative and support~~
11 ~~personnel employed regardless of their employment status."]"~~

12 **THIS ACT SHALL BE FOR THE BENEFIT OF HEALTH**
13 **WORKERS. FOR PURPOSES OF THIS ACT, "HEALTH**
14 **WORKERS" REFER TO PERSONS WHO ARE ENGAGED IN**
15 **HEALTH AND HEALTH-RELATED WORK IN A HEALTH**
16 **FACILITY OR OTHER RELATED ESTABLISHMENT, OWNED**

1 allowance, and remote assignment allowance.”

2 Sec. 4. Section 21 of Republic Act No. 7305, otherwise known as the “Magna
3 Carta for Public Health Workers” is hereby amended as follows:

4 “Sec. 21. Hazard Allowance. – [~~Public health workers in hospitals,~~
5 ~~sanitaria, rural health units, main health centers, health~~
6 ~~infirmaries, barangay health stations, clinics and other~~
7 ~~healthrelated establishments located in difficult areas, strife-torn~~
8 ~~or embattled areas, distressed or isolated stations, prison camps,~~
9 ~~mental hospitals, radiation-exposed clinics, laboratories or~~
10 ~~disease-infested areas or in areas declared under state of calamity~~
11 ~~or emergency for the duration thereof which expose them to~~
12 ~~great danger, contagion, radiation, volcanic activity/eruption,~~
13 ~~occupational risk or perils to life as determined by the Secretary~~
14 ~~of Health, shall be compensated hazard allowances equivalent to~~
15 ~~at least twenty-five percent (25%) of the monthly basic salary of~~
16 ~~health workers receiving salary grade 19 and below, and five~~
17 ~~percent (5%) for health workers with salary grade 20 and above.]~~

18 **ALL PUBLIC HEALTH WORKERS PERFORMING HEALTH**
19 **AND HEALTH-RELATED WORK REGARDLESS OF WORK**
20 **LOCATION SHALL BE ENTITLED TO HAZARD ALLOWANCE**
21 **AMOUNTING TO FIVE THOUSAND PESOS (P5,000.00) PER**
22 **MONTH: PROVIDED, THAT THIS RATE SHALL BE**
23 **EXEMPTED FROM INCOME TAX: PROVIDED, FURTHER,**
24 **THAT RATE SHALL BE REVIEWED PERIODICALLY AND**
25 **INCREASED ACCORDINGLY BY THE SECRETARY OF**
26 **HEALTH IN CONSULTATION WITH THE APPROPRIATE**
27 **GOVERNMENT AGENCIES.”**

28 Sec. 5. A new Section 21-A shall be inserted after Section 21 of Republic Act No.
29 7305 which shall read as follows:

30 **“SEC. 21-A. SPECIAL RISK ALLOWANCE. – PUBLIC**
31 **HEALTH WORKERS, WHERE THE PERFORMANCE OF**

1 **THEIR DUTIES AND RESPONSIBILITIES AND LOCATION**
2 **OF WORK EXPOSE THEM TO GREAT DANGER,**
3 **OCCUPATIONAL RISKS, PERIL TO LIFE, AND PHYSICAL**
4 **HARDSHIPS, IN AREAS AND CIRCUMSTANCES AS**
5 **DETERMINED BY THE SECRETARY OF HEALTH, SHALL BE**
6 **ENTITLED TO SPECIAL RISK ALLOWANCE OF AT LEAST**
7 **TWENTY-FIVE PERCENT (25%) OF THE MONTHLY BASIC**
8 **SALARY.”**

9 Sec. 6. Section 22 of Republic Act No. 7305, otherwise known as the “Magna
10 Carta for Public Health Workers” is hereby amended as follows:

11 “Sec. 22. Subsistence Allowance. – Public health workers who
12 are required to render service within **OR NEAR** the premises of
13 ~~[hospitals, sanitarium, health infirmaries, main health centers, rural~~
14 ~~health units and barangay health stations, or clinics, and other~~
15 ~~health-related establishments]~~ **HEALTH FACILITIES AND**
16 **OTHER RELATED ESTABLISHMENTS** in order to make their
17 services available at any and all times, shall be entitled to full
18 subsistence allowance of three (3) meals which may be computed
19 in accordance with prevailing circumstances as determined by the
20 Secretary of Health in consultation with the Management-Health
21 Worker's Consultative Councils, as established under Section 33
22 of this Act: **PROVIDED, THAT SUBSISTENCE ALLOWANCE**
23 **SHALL BE COMPUTED NOT LOWER THAN SEVENTY FIVE**
24 **PESOS (Php75.00) PER MEAL:** Provided, **FURTHER,** That
25 representation and travel allowance shall be given to rural health
26 physicians as enjoyed by municipal agriculturists, municipal
27 planning and development officers and budget officers.”

28 Sec. 7. A new Section 22-A shall be inserted after Section 22 of Republic Act No.
29 7305 which shall read as follows:

30 “**SEC. 22-A. RICE SUBSIDY ALLOWANCE. – ALL PUBLIC**
31 **HEALTH WORKERS SHALL BE ENTITLED TO RICE**
32 **SUBSIDY ALLOWANCE IN THE FORM OF CASH**

1 **AMOUNTING TO ONE THOUSAND TWO HUNDRED FIFTY**
2 **PESOS (P1,250.00).**

3 Sec. 8. Section 23 of Republic Act No. 7305, otherwise known as the "Magna
4 Carta for Public Health Workers" is hereby amended as follows:

5 "Section 23. Longevity Pay. - A monthly longevity pay equivalent
6 to five percent (5%) of the monthly basic pay shall be paid to a
7 health worker for every five (5) years of continuous, efficient and
8 meritorious services rendered as certified by the chief of office
9 concerned, commencing with the service after the approval of
10 this Act.: **PROVIDED, THAT FOR EVERY TEN YEARS OF**
11 **SERVICE, THEY SHALL BE ENTITLED TO SPECIAL**
12 **LONGEVITY PAY AMOUNTING TO ONE (1) MONTH OF**
13 **BASIC SALARY."**

14 Sec. 9. Section 24 of Republic Act No. 7305, otherwise known as the "Magna
15 Carta for Public Health Workers" is hereby amended as follows:

16 "Section 24. Laundry **AND CLOTHING** Allowance. - All public
17 health workers who are required to wear uniforms regularly shall
18 be entitled to laundry **AND CLOTHING** allowance equivalent to
19 [~~One hundred twenty five pesos (P125.00)] **FIVE HUNDRED**
20 **PESOS (P500.00)** per month: provided, that this rate shall be
21 reviewed periodically and increased accordingly by the Secretary
22 of Health in consultation with the appropriate government
23 agencies concerned taking into account existing laws and
24 prevailing practices."~~

25 Sec. 10. Section 28 of Republic Act No. 7305, otherwise known as the "Magna
26 Carta for Public Health Workers" is hereby amended as follows:

27 "Section 28. Compensation for Injuries. – Public health workers
28 shall be protected against the consequences of employment

1 injuries in accordance with existing law. Injuries incurred while
2 doing overtime work shall be presumed work-connected.

3 **NOTWITHSTANDING ANY LAW TO THE CONTRARY,**
4 **PUBLIC HEALTH WORKERS WHO MAY BE INJURED OR**
5 **CONTRACT ANY DISEASE WHILE IN THE PERFORMANCE**
6 **OF THEIR DUTIES SHALL BE ENTITLED TO AN AMOUNT**
7 **OF ONE HUNDRED THOUSAND PESOS (P100,000.00):**
8 **PROVIDED, THAT THE AMOUNT OF ONE MILLION PESOS**
9 **(P1,000,000.00) SHALL BE GIVEN TO PUBLIC HEALTH**
10 **WORKERS WHO MAY DIE WHILE IN THE PERFORMANCE**
11 **OF THEIR DUTY: PROVIDED, FURTHER, THAT**
12 **ENTITLEMENT TO COMPENSATION UNDER THIS**
13 **SECTION SHALL NOT PRECLUDE PUBLIC HEALTH**
14 **WORKERS TO CLAIM ANY OTHER BENEFITS FOR THE**
15 **SAME INJURY PROVIDED FOR BY OTHER LAWS."**

16 Sec. 11. *Free Continuing Professional Development.* – The Department of
17 Health shall provide free Continuing Professional Development training for public health
18 worker professionals who are required to undertake such program as a requirement
19 for the renewal of their professional identification cards under the regulation of
20 Professional Regulatory Commission as mandated by Republic Act No.
21 10912 or the "Continuing Professional Development Act of 2016".

22 Sec. 12. *Implementing Rules and Regulations.* – The Secretary of Health after
23 consultation with appropriate agencies of the Government as well as professional and
24 health workers' organizations or unions, shall formulate and prepare the revised
25 implementing rules and regulation of the Magna Carta for Public Health Workers in
26 accordance with this Act.

27 Sec. 13. *Separability Clause.* – If any portion or provision of this Act is declared
28 unconstitutional, the remainder of this Act or any provisions not affected thereby shall
29 remain in force and effect.

1 Sec. 14. *Repealing Clause.* - All other laws, decrees, executive orders and rules
2 and regulations contrary to or inconsistent with the provisions of this Act are hereby
3 repealed or modified accordingly.

4 Sec. 15. *Effectivity* - This Act shall take effect fifteen (15) days after its
5 publication in the Official Gazette or in one (1) newspaper of general circulation.

Approved,