



Senate
Office of the Secretary

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

'22 AUG -4 A9 :40

SENATE

RECEIVED BY: _____

S. No. 1030

Introduced by Senator Jinggoy Ejercito Estrada

**AN ACT
ESTABLISHING THE PHILIPPINE EAR, NOSE AND THROAT (ENT) CENTER
AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

Section 15, Article II of the 1987 Constitution declares that "The State shall protect and promote the right to health of the people and instill health consciousness among them." The national health policy of our country is further clarified in Section 11, Article XIII of the 1987 Philippine Constitution which provides 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. x x x"

Pursuant to these constitutional provisions, this proposed measure seeks to create a medical center that will provide affordable treatment for ear, nose, throat, head and neck (ENTHN) disorders. The establishment and maintenance of the medical center is timely since the incidence of ENTHN diseases in the country has become more prevalent. However, despite the high prevalence rate of these diseases and their immense effect on health, these conditions have not been given enough attention and priority by the government.

The creation of Philippine ENT Center will focus on the treatment of ENT diseases to primarily benefit persons suffering from those diseases and those who are unable to secure the necessary medical treatment because of the high cost of specialized medical services. The Philippine ENT Center will ensure the accessibility and availability of specialized medical services needed by persons suffering from ENT diseases and disorders in the country.

In this light, the immediate passage of this bill is highly recommended.



JINGGOY EJERCITO ESTRADA



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

1 Section 1. *Declaration of Policy.* – It is hereby declared policy of the State to
2 promote and protect the right of the people to health by providing specialized health
3 and medical services that will secure their well-being. Towards this end, the State
4 shall establish an ear, nose and throat (ENT) center that will provide comprehensive,
5 high quality, affordable and specialized medical services for the prevention, control
6 and treatment of ear, nose, throat, head and neck (ENTHN) diseases.

7 Sec. 2. *Philippine Ear, Nose and Throat (ENT) Center.* – The Philippine Ear,
8 Nose and Throat (ENT) Center, hereinafter referred to as the Philippine ENT Center
9 is hereby established under the supervision of the Department of Health to intensify
10 and consolidate the efforts and programs of the government in the prevention,
11 diagnosis and treatment of ENTHN diseases and provide comprehensive high quality,
12 affordable and specialized medical services to citizens afflicted with ENTHN disease.

13 The Philippine ENT Center shall have the following objectives:

- 14 a. Construct, establish, equip, operate and maintain a medical institution
15 which shall specialize in the prevention, diagnosis and treatment of
16 ENTHN diseases, and provide medical care, rehabilitation and relief of
17 persons suffering from it;

- 1 b. Undertake medical and scientific researches relative to the prevention,
2 diagnosis, treatment of ENTHN diseases and create public awareness
3 on its prevention and control through information dissemination;
- 4 c. Finance, sponsor, hold or participate in congresses, conventions,
5 conferences, seminars, workshops and training programs on ENTHN
6 diseases, diagnosis and management;
- 7 d. Facilitate and encourage the dissemination and exchange of ideas and
8 information on the prevention, control and treatment of ENTHN
9 diseases;
- 10 e. Encourage and assist in the education and training of physicians,
11 nurses, health officers, social workers and other medical and technical
12 personnel in the practical and scientific conduct and implementation of
13 ENTHN diseases prevention and treatment programs;
- 14 f. Coordinate and consolidate various efforts and activities of the
15 government in delivering more effective medical services to treat and
16 prevent ENTHN diseases; and
- 17 g. Help in the promotion of Philippine medical tourism by offering top
18 quality and world class medical services in treating ENTHN disorders.

19 *Sec. 3. Scope of Services.* – Consistent with its objectives, the Philippine ENT
20 Center shall provide the following services:

- 21 a. Hospital-based services to ensure the availability of medical facilities
22 and equipment necessary to provide treatment of ENTHN diseases;
- 23 b. Community-based services to develop and implement community-
24 based programs in partnership with local government units, conduct
25 research and external resource outsourcing to implement community-
26 based diagnosis and treatment of ENTHN diseases;
- 27 c. Education programs to pursue excellence and the highest level of
28 practice in the specialized field of ENTHN diseases and other related
29 fields, conduct post-graduate training and short-term courses for
30 medical doctors and allied medical professionals; and

- 1 d. Program development and research to develop cutting edge research
2 and programs to combat diseases of the ear, nose, throat, head and
3 neck.

4 *Sec. 4. Board of Trustees.* – The Philippine ENT Center shall be administered
5 by a Board of Trustees, hereinafter referred to as the Board, to be composed of
6 seven (7) members to be appointed by the President of the Philippines upon the
7 recommendation of the Secretary of Health.

8 The members of the Board shall serve for a period of three (3) years. All
9 members shall serve without compensation other than actual and necessary
10 expenses, in accordance with the existing laws, policies and rules and regulations on
11 the matter, incurred either for attendance in meetings of the Board or upon official
12 business authorized by a resolution of the Board.

13 *Sec. 5. Powers and Functions.* – The Board shall have the following powers
14 and functions in addition to their general powers of administration:

- 15 a. Formulate and adopt the by-laws, rules and regulations, policies,
16 guidelines and procedures consistent with law and the provisions of this
17 Act to govern the administration and operations of the Philippine ENT
18 Center;
- 19 b. Formulate and develop programs for the prevention, control and
20 treatment of ENTHN diseases and adopt measures which are necessary
21 to carry out the provisions of this Act;
- 22 c. Enter into such agreements and arrangements with other medical
23 institutions, domestic or foreign, as may be necessary in attaining the
24 purposes and objectives of the Philippine ENT Center;
- 25 d. Receive in trust legacies, gifts and donations of real or personal property
26 of all kinds and to administer the same for the benefit of the Philippine
27 ENT Center, in accordance with the directions and instructions of the
28 donor, and in default thereof, in such manner as in its direction the
29 Board may determine;
- 30 e. Acquire and hold property of whatever nature or description, and to
31 dispose such properties under any mode of encumbrance and
32 conveyance;

1 f. Invite foreign ENTHN specialists and similar experts in the various
2 medical fields to train the personnel of the Philippine ENT Center or send
3 personnel to research or medical institutes or universities for advance
4 training or observation or to attend international or regional conventions,
5 conferences, congresses and seminars as the Board may deem
6 necessary to accomplish the purposes and objectives of the Philippine
7 ENT Center; and

8 g. Perform all such other acts and things as are or may be necessary for or
9 incidental to the accomplishment of the objectives of the Philippine ENT
10 Center.

11 *Sec. 6. Organizational Structure and Staffing Pattern.* – The Board shall
12 determine the organizational structure and staffing pattern of the Philippine ENT
13 Center subject to the evaluation by the Civil Service Commission and of the
14 Organization Position Classification and Compensation Bureau of the Department of
15 Budget and Management. The Board may reorganize said structure, modify the
16 staffing pattern and create or abolish divisions, sections or units in the Philippine
17 ENT Center.

18 *Sec. 7. Appointment by the Board.* – The Board shall have the authority to
19 appoint, promote, transfer, remove, suspend or otherwise discipline the officers and
20 employees of the ENT Center upon the recommendation of the Executive Director,
21 subject to civil service laws, rules and regulations.

22 *Sec. 8. Executive Director.* – The Philippine ENT Center shall be administered
23 by an Executive Director who shall be appointed by the President of the Philippines
24 upon the recommendation of the Board of Trustees.

25 The Executive Director shall exercise the following powers and functions:

- 26 a. Execute the policies, guidelines and programs approved by the Board, and
27 be responsible for the efficient discharge of management and operational
28 functions;
- 29 b. Submit for the consideration and approval of the Board proposed measures,
30 policies and guidelines and programs as may be deemed necessary for the
31 effective implementation of the purposes and objectives of this Act;

- 1 c. Direct and supervise the management, operation and administration of the
2 Philippine ENT Center, and may delegate this power and any or some of the
3 administrative responsibilities and duties to the other officers of the
4 Philippine ENT Center;
- 5 d. Recommend to the Board the appointment, promotion, transfer, dismissal
6 and suspension of the officers and employees of the Philippine ENT Center;
- 7 e. Execute on behalf of the Board all contracts and agreements which the
8 latter may enter into, and to execute, accomplish and deliver any and all
9 documents relative to such contracts and agreements; and
- 10 f. Exercise such other powers and perform such other duties as may be vested
11 by the Board.

12 **Sec. 9. *Program for Indigents.*** – The Board shall ensure that the Philippine
13 ENT Center shall adopt and enforce a program for indigents. The number of beds
14 allocated for indigent patients shall not be less than forty percent (40%) of the total
15 number of hospital beds.

16 **Sec. 10. *Tax Exemptions and Privileges.*** – The provision of any general or
17 special law to the contrary notwithstanding, all donations, grants, contributions, gifts
18 or endowments received by the Philippine ENT Center pursuant hereto, shall be
19 exempt from income, gift and all other kinds of taxes, and shall be further
20 considered as allowable deductions from the gross income of the donor, in
21 accordance with the provisions of the National Internal Revenue code of 1997, as
22 amended.

23 The Philippine ENT Center is hereby declared exempt from all income and all
24 other internal revenue taxes, tariff and customs duties and all other kinds of taxes,
25 fees, charges and assessment levied by the government and its political subdivisions,
26 agencies and instrumentalities.

27 The Philippine ENT Center may request and receive assistance from the
28 different agencies, bureaus, offices or instrumentalities of the government, including
29 the Philippine Charity Sweepstakes Office and the Philippine amusement and Gaming
30 Corporation in pursuit of its purposes and objectives.

31 **Sec. 11. *Annual Report.*** – The Philippine ENT Center shall submit an annual
32 report to the President of the Philippines, Senate Committee on Health and

1 Demography and the House Committee on Health, on its activities, accomplishments
2 and recommendations to better improve their delivery of specialized medical
3 services.

4 Sec. 12. *Implementing Rules and Regulations.* – The Secretary of Health shall,
5 in coordination with the Secretary of Budget and Management, promulgate such
6 rules and regulations necessary for the effective implementation of this Act.

7 Sec. 13. *Appropriations.* -- The amount of Three hundred million pesos
8 (P300,000,000.00) is hereby appropriated for the initial operation and maintenance
9 of the Philippine ENT Center. Thereafter, such sum as may be necessary for the
10 continued operation of the Philippine ENT Center shall be included in the annual
11 General Appropriations Act.

12 Sec. 14. *Repealing Clause.* – All laws, decrees, executive orders, rules and
13 regulations or parts thereof which are in conflict with the provisions of this Act are
14 hereby repealed or modified accordingly.

15 Sec. 15. *Effectivity.* – This Act shall take effect thirty (30) days after its
16 publication in the Official Gazette or in two (2) national newspapers of general
17 circulation.

Approved,