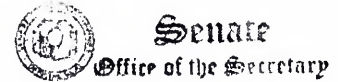


NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session



'22 AUG -4 P 6:31

SENATE

RECEIVED BY:

S. B. NO. 1047

Introduced by **SENATOR JOEL VILLANUEVA**

AN ACT
MANDATING THE ESTABLISHMENT OF NURSING HOMES FOR
THE ABANDONED, NEGLECTED, UNATTACHED OR HOMELESS
SENIOR CITIZENS, AMENDING FOR THE PURPOSE REPUBLIC
ACT NO. 7432, OTHERWISE KNOWN AS "AN ACT TO MAXIMIZE
THE CONTRIBUTION OF SENIOR CITIZENS TO NATION BUILDING,
GRANT BENEFITS AND SPECIAL PRIVILEGES AND FOR OTHER
PURPOSES," AS AMENDED, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Based on recent data, the Philippine population is ageing. According to the Philippine Statistics Authority (PSA) as of 2015, there were 7,548,769 Filipinos aged 60 years old and above, while 4,787,586 Filipinos are aged 65 years and over, accounting for 7.5% and 4.7% of the country's total population of 100,981,437 persons, respectively.¹

As Filipinos, we take it upon ourselves to care for our elder family members, whether they be our aging parents or our *lolos* and *lolas*. Indeed, the notion of a nursing home is foreign to us as we prefer to live with our loved ones who are in the twilight of their lives.

Reality however, is not as ideal. Every day, we see heartbreaking images of senior citizens in their twilight years, begging or selling along the streets and sleeping on the streets, outside train stations, churches and other public places. Indeed, homelessness in our elderly population has become a real problem.

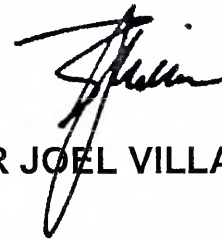
This is due to several reasons. Some families simply cannot afford to spend for and care for their elderly due to financial difficulties, while some have voluntarily

¹ Philippine Statistics Authority National QuickStat – June 2022. Available at https://psa.gov.ph/statistics/quickstat/national-quickstat/all/* (last accessed June 24, 2022).

left their homes because they feel unwelcome. It is estimated that 90% of senior citizens in the country do not receive sufficient care.²

Section 11, Article XIII of the 1987 Constitution 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. The State shall endeavor to provide free medical care to paupers.” This bill seeks to promote this state policy by mandating the establishment of at least one residential care, group home or nursing home in each province and highly urbanized cities. In addition to shelter, such homes shall also provide adequate and nutritious food, clothing, medical and health care services, counselling, family outreach, reconciliation and dialogue, literacy and other vocational or livelihood training and religious, cultural and vocational activities.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



SENATOR JOEL VILLANUEVA *JV*

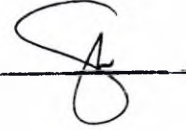
² “Senior Citizen Benefits: It’s More Fun to Live in PH in your Golden Years. “May 19, 2022. Retrieved from <https://www.lumina.com.ph/news-and-blogs/blogs/senior-citizen-benefits-its-more-fun-to-live-in-ph-in-your-golden-years/>(date last accessed on July 31, 2022)

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AN ACT
MANDATING THE ESTABLISHMENT OF NURSING HOMES FOR
THE ABANDONED, NEGLECTED, UNATTACHED OR HOMELESS
SENIOR CITIZENS, AMENDING FOR THE PURPOSE REPUBLIC ACT
NO. 7432, OTHERWISE KNOWN AS "AN ACT TO MAXIMIZE THE
CONTRIBUTION OF SENIOR CITIZENS TO NATION BUILDING,
GRANT BENEFITS AND SPECIAL PRIVILEGES AND FOR OTHER
PURPOSES," AS AMENDED, 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 as the "Homes for the
2 Elderly Act "

3
4 **SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the State
5 to value the dignity of every human person and guarantee full respect for human
6 rights, extend assistance to its elderly citizens through programs of social security,
7 and promote the right to health and safety of its senior citizens. Towards this end,
8 the State shall extend assistance to neglected and homeless senior citizens by
9 establishing nursing homes that will provide shelter and assistance for this
10 marginalized sector.

11
12 **SEC. 3. Nursing Homes.** – Section 5 of Republic Act No. 7432, otherwise
13 known as An Act to Maximize the Contribution of Senior Citizens to Nation Building,
14 Grant Benefits and Special Privileges and for Other Purposes" as amended, is
15 hereby amended to read as follows:

16
17 "SEC. 5. Government Assistance. – The government shall provide the
18 following:

19
20 X X X
21

1 (d) Social Services
2

3 At least fifty percent (50%) discount shall be granted on the consumption of
4 electricity, water, and telephone by the senior citizens center and residential
5 care/group homes that are government-run or non-stock, non-profit domestic
6 corporation organized and operated primarily for the purpose of promoting the
7 well-being of abandoned, neglected, unattached, or homeless senior citizens,
8 subject to the guidelines formulated by the DSWD.
9

10 IN ADDITION, THESE RESIDENTIAL CARE, GROUP HOMES OR NURSING
11 HOMES SHALL BE EXEMPTED FROM THE PAYMENT OF CUSTOMS
12 DUTIES, TAXES, AND TARIFFS ON THE PURCHASE AND IMPORTATION
13 OF EQUIPMENT AND SUPPLIES USED ACTUALLY, DIRECTLY, AND
14 EXCLUSIVELY BY THE NURSING HOME PURSUANT TO THIS ACT,
15 INCLUDING THOSE DONATED TO THEM. ALL DONATIONS MADE TO
16 THESE FACILITIES SHALL ALSO BE EXEMPT FROM DONOR'S TAXES,
17 AND SHALL BE ALLOWED AS A DEDUCTION IN ACCORDANCE WITH THE
18 NATIONAL INTERNAL REVENUE CODE, AS AMENDED. THESE NURSING
19 HOMES SHALL LIKEWISE BE EXEMPT FROM PAYMENT OF LOCAL
20 BUSINESS TAXES.
21

22 X X X
23

24 (4) "substitute family care" in the form of residential care, [or] group homes or
25 NURSING HOMES for the abandoned, neglected, unattached or homeless
26 senior citizens and those incapable of self-care: *PROVIDED*, THAT THERE
27 SHALL BE AT LEAST ONE (1) RESIDENTIAL CARE, GROUP HOME OR
28 NURSING HOME IN EVERY PROVINCE AND HIGHLY URBANIZED
29 CITIES; *PROVIDED, FURTHER*, THAT IN ADDITION TO PROVIDING A
30 COMFORTABLE AND SAFE LIVING QUARTERS, THE SERVICES THAT
31 THESE ESTABLISHMENTS SHALL OFFER SHALL INCLUDE:
32

- 33 (i) ADEQUATE AND NUTRITIOUS FOOD;
34 (ii) CLOTHING;
35 (iii) MEDICAL AND HEALTH CARE SERVICES;
36 (iv) COUNSELLING;
37 (v) FAMILY OUTREACH, RECONCILIATION AND DIALOGUE;
38 (vi) LITERACY AND OTHER VOCATIONAL OR LIVELIHOOD TRAINING;
39 AND
40 (vii) RELIGIOUS, CULTURAL AND VOCATIONAL ACTIVITIES;
41

42 *PROVIDED, FINALLY*, THAT THE LOCAL GOVERNMENT UNITS (LGUS),
43 THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD),
44 NATIONAL COMMISSION OF SENIOR CITIZENS, AND OTHER
45 APPROPRIATE AGENCIES SHALL COORDINATE AMONG EACH OTHER
46 FOR THE ESTABLISHMENT, MANAGEMENT AND OPERATION OF THESE
47 FACILITIES.
48

49 **SEC. 4. Implementing Rules and Regulations.** – Within ninety (90) days
50 from the effectivity of this Act, the DSWD, in coordination with the Department of

1 Interior and Local Government (DILG), the Department of Health (DOH), the National
2 Commission of Senior Citizens, the Federation of Senior Citizens Associations of the
3 Philippines, and other appropriate government agencies, the Confederation of Older
4 Persons Associations of the Philippines, and other concerned stakeholders, shall
5 issue the rules and regulations to effectively implement the provisions this Act.
6

7 **SEC. 5. Appropriations.** – The amount necessary to carry out the provisions
8 of this Act shall be included in the General Appropriations Act of the year following its
9 enactment into law and every year thereafter.
10

11 **SEC. 6. Separability Clause.** – If any provision of this Act is declared invalid
12 or unconstitutional, the provisions not affected thereby shall remain in full force and
13 effect.
14

15 **SEC. 7. Repealing Clause.** – All laws, presidential decrees, executive orders,
16 presidential proclamations, rules and regulations or parts thereof contrary to or
17 inconsistent with the provisions of this Act are hereby repealed or modified
18 accordingly.
19

20 **SEC. 8. Effectivity.** – This Act shall take effect fifteen (15) days after its
21 publication in the Official Gazette or in at least two (2) newspapers of general
22 circulation.
23

24 **Approved,**