


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



23 JUL 24 P1 :23

SENATE
S. No. 2340

RECEIVED BY: 

Introduced by Senator Jinggoy Ejercito Estrada

AN ACT
CONVERTING THE OVERSEAS FILIPINO WORKERS HOSPITAL AS A LEVEL III HOSPITAL UNDER THE DIRECT SUPERVISION AND CONTROL OF THE DEPARTMENT OF MIGRANT WORKERS, AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Cash remittances sent by Overseas Filipinos for 2022 amounted to USD 32.5 billion, up by nearly 4% from cash remittances sent in 2021¹. According to the Department of Foreign Affairs' Report to Congress on Assistance-to-Nationals, as of June 2022 there were 4.3 million Filipino documented migrant workers and 1.2 million undocumented migrant workers all over the world.

Most migrant workers have left the country in search of better opportunities abroad and to provide for their families, sacrificing time they could have spent with loved ones, contending with work-related stress coupled with an unfamiliar work environment, and racism. For a large number of migrant workers, much of their productive years have been spent abroad, working towards providing for a better life for loved ones back home and setting aside savings which oftentimes could be depleted due to health or medical expenses.

¹ Bangko Sentral ng Pilipinas. *Overseas Filipinos' Cash Remittances.*
<https://www.bsp.gov.ph/Statistics/External/Table%2011.pdf>

According to a Department of Science and Technology – National Research Council of the Philippines study on Common Health Problems of Overseas Filipino Workers (OFWs), participants of the health problems survey noted that they did not experience any major health problems prior to deployment, thus passing the Pre-Employment Medical Examinations of the Department of Health (DOH). However, during employment overseas participants suffered from hypertension, body pain, diabetes, allergy, asthma, high cholesterol, hepatitis, high blood pressure, eye problem, and pneumonia.² According to the same study, data from the Overseas Workers Welfare Administration and the Philippine Health Insurance Corporation show that the most common health problems OFWs have stated in the availment of their medical benefits while abroad or upon return to the Philippines are related to Cardiovascular, Digestive, and Reproductive Systems. By occupational group, those involved in household service work have the most number of health problems, which include Cardiovascular, Digestive, and Endocrine diseases. While migrant workers involved in service, technical and machine operation work have availed of medical benefits for Cardiovascular and Urinary/Excretory diseases.

The BSP Survey on the Expenditures of Overseas Filipino Workers found that food and other household needs had the lion's share of OFW household expenses at 95.6%, followed by education at 60.8%, and medical expenses at 50.1%. Savings meanwhile was at 34.9% and investment at 5.4%³. It is only fitting that for the aspect of health, there will be a facility that would allow for an affordable and accessible option for healthcare services for them and for their dependents. Migrant workers who have spent their economically-active years overseas should have a recourse for health services especially for those at the sunset of their careers.

This bill seeks to convert the Overseas Filipino Workers Hospital (OFWH) as a Level III hospital under the direct supervision and control of the Department of Migrant Workers. The OFWH shall cater primarily to the healthcare needs of OFWs

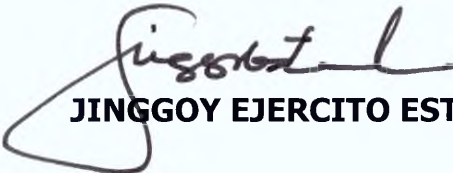
² Ramirez, V. E. *Common Health Problems of Overseas Filipino Workers (OFWs): Implication to Prevention and Health*. Department of Science and Technology – National Research Council of the Philippines, 2022.

³ Bangko Sentral ng Pilipinas. (2023). Consumer Expectations Survey Report, 2nd Quarter 2023.

and their qualified dependents, including 24/7 telehealth services. It shall likewise serve as a referral facility for repatriated OFWs requiring medical assistance and support, develop training programs for medical and allied medical professionals which shall focus on strengthening occupational and migrant health services in the country, serve as a medical facility providing pre-employment medical examination for OFWs, and strengthen health surveillance through post-employment or post-arrival medical examinations for OFWs.

The bill mandates the DOH to establish OFW centers or wards in DOH-retained hospitals to complement the OFWH as well as endorse and encourage medical specialists in government hospitals such as the Philippine Heart Center, National Kidney and Transplant Institute, Lung Center of the Philippines, National Children's Hospital, and the Philippine General Hospital to hold clinics in the OFWH.

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



JINGGOY EJERCITO ESTRADA

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



23 JUL 24 P 1 :23

SENATE
S. No. 2340

RECEIVED BY: 

Introduced by Senator Jinggoy Ejercito Estrada

AN ACT
CONVERTING THE OVERSEAS FILIPINO WORKERS HOSPITAL AS A LEVEL III HOSPITAL UNDER THE DIRECT SUPERVISION AND CONTROL OF THE DEPARTMENT OF MIGRANT WORKERS, AND APPROPRIATING FUNDS THEREFOR

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

1 Section 1. *Short Title.* – This Act shall be known as the “*Overseas Filipino*
2 *Workers Hospital Act*”.

3 Sec. 2. *Declaration of Policy.* – It is the policy of the State to adopt an integrated
4 and comprehensive approach to health development which shall endeavor to make
5 essential goods, health, and other social services available to all people at an
6 affordable cost. Towards this end, the State shall protect the interest and promote the
7 well-being of Overseas Filipino Workers (OFWs) through the provision of social welfare
8 services in recognition of their importance and contribution to economic and nation-
9 building.

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

11 a. *Dependents* shall refer to any of the following:

- 12 1. The legal spouse entitled by law to receive support from the OFW;
- 13 2. The legitimate, legitimated, legally adopted, or illegitimate child who
14 is unmarried, not gainfully employed, and has not reached twenty-
15 one (21) years of age, or if over twenty-one (21) years of age, is
16 congenitally incapacitated or while still a minor has been permanently

1 incapacitated and incapable of self-support, physically, or mentally;

2 or

3 3. The parents who are receiving regular support from the OFW;

4 b. *Overseas Filipino Worker (OFW)* refers to a Filipino who is to be engaged,
5 is engaged, or has been engaged in a remunerated activity in a country of
6 which said person is not an immigrant citizen, or a permanent resident of,
7 or is not awaiting naturalization, recognition, or admission, whether land-
8 based or sea-based regardless of status; excluding a Filipino engaged under
9 a government-recognized exchange visitor program for cultural or
10 educational purposes. For purposes of this Act, a person engaged in
11 remunerated activity covers a person who has been contracted for overseas
12 employment but has yet to leave the Philippines, regardless of status, and
13 includes Overseas Contract Workers.

14 *Sec. 4. Conversion of the Overseas Filipino Workers Hospital as a Level III*

15 *Hospital.* – There shall be established in the City of San Fernando, Province of
16 Pampanga, a Level III hospital to be known as the Overseas Filipino Workers Hospital
17 (OFWH), which shall be under the direct supervision and control of the Department of
18 Migrant Workers (DMW). It shall cater primarily to the healthcare needs of OFWs and
19 their qualified dependents, subject to the limitations under existing laws, rules, and
20 regulations: *Provided,* That nothing herein shall prevent the OFWH from
21 accommodating patients other than OFWs or their qualified dependents.

22 The Medical Center Chief of OFWH shall, in consultation with the DMW and the
23 Department of Health (DOH), prepare the hospital development plan to reflect the
24 development goals of the hospital including its bed capacity and service capability.
25 Requests for staffing requirements, capital outlay investments, and budgetary needs
26 for operations shall be based on the hospital development plan.

27 The DOH shall support the OFWH through the provision of technical assistance,
28 extending capital outlay, and monitoring of the hospital's compliance with standards
29 to deliver quality healthcare.

30 *Sec. 5. Purposes and Objectives.* – The OFWH shall:

- 1 a. Provide comprehensive and total health care services to all migrant workers
2 including Overseas Workers Welfare Administration (OWWA) contributors,
3 whether active or inactive, their legal dependents, and the general public;
- 4 b. Serve as a referral facility for repatriated OFWs needing medical assistance
5 and support while ensuring its participation in the provincial and inter-
6 regional healthcare provider networks to all for a seamless and coordinated
7 referral system for the medical repatriation program in accordance with
8 Republic Act No. 11223, otherwise known as the "Universal Health Care
9 Act";
- 10 c. Promote, encourage, engage in, and publish scientific research on the
11 prevention, care, and treatment of occupational diseases common to OFWs,
12 including the underwriting of research on biological, demographic, social,
13 economic, eugenics, physiological aspects of occupational disorders of
14 OFWs, and conduct relevant congresses, conventions, seminars, and
15 conferences;
- 16 d. Develop training programs for medical and allied medical professionals
17 which shall focus on strengthening occupational and migrant health services
18 in the country and the creation of specialized services;
- 19 e. Provide 24/7 telehealth services to migrant workers and their families; the
20 service may be extended at the Philippine foreign post of the Philippine
21 Overseas Labor Office to assist in the medical assessment and management
22 of distressed OFWs while awaiting repatriation;
- 23 f. Establish the OFWH as a medical facility providing pre-employment medical
24 examination for OFWs;
- 25 g. Strengthen health surveillance through the provision of a post-employment
26 or post-arrival medical examination for OFWs, in consonance with Republic
27 Act No. 8042, as amended, otherwise known as the "Migrant Workers and
28 Overseas Filipinos Act of 1995" and the DOH's Philippine Migrant Health
29 Program;
- 30 h. Raise public awareness and conduct a massive information drive on the
31 prevention, treatment, and control of diseases common to OFWs,
32 occupational health and safety, and physical fitness; and

- 1 i. Assist and support universities, research institutions, and other hospitals or
2 medical facilities in their studies on health-related concerns of OFWs.

3 *Sec. 6. Powers of the OFWH.* – The OFWH shall have the power to:

- 4 a. Acquire and hold, in any manner, property of whatever nature or
5 description, and to dispose of such property under any mode of
6 encumbrance or conveyance;
- 7 b. Contract and be contracted with;
- 8 c. Levy, assess, and collect such fees, charges, and assessments as may be
9 necessary or proper to support, finance, and maintain its operation;
- 10 d. Mortgage, lease, sell, transfer, convey, or otherwise dispose of its
11 properties;
- 12 e. Invest in, and purchase or otherwise acquire, own, hold, use, lease grant,
13 mortgage, sell, transfer, or otherwise deal with, real and/or personal
14 properties of every kind and nature, including shares of stock, bonds, notes
15 and other evidence of indebtedness or obligations of other corporations
16 whether government or private;
- 17 f. Solicit and receive donations, endowments, and funds in the form of
18 contributions, whether in cash or in kind, from both the public and private
19 sectors subject to existing budgeting, accounting, and auditing rules and
20 regulations;
- 21 g. Open such accounts in banks and other financial institutions, and to disburse
22 such funds or invest the same as the DMW Secretary may direct to
23 accomplish or advance the purposes or interest of the hospital;
- 24 h. Invite foreign specialists and similar experts in the various medical fields not
25 available in the country; to train the personnel, trainees, and residents;
- 26 i. Send the personnel to research institutes, medical institutes, or universities
27 for advance training or observation and to attend international or regional
28 conventions, conferences, congresses, and seminars as the Medical Center
29 Chief may deem necessary to accomplish the purposes and objectives of
30 the hospital and subject to the approval of the DMW Secretary; and
- 31 j. Exercise such other powers and functions as may be necessary or incidental
32 for the accomplishment of the purposes and objectives of the OFWH.

1 *Sec. 7. Duties and Responsibilities of the DMW.* – The DMW shall:

2 a. Establish a focal office for migration and health in the DMW to ensure that
3 the country’s migrant health program is mainstreamed in the plans and
4 programs of the OFWH, which shall include:

5 1. Assistance in identifying, documenting, processing, and approving
6 applications for benefits granted to OFWs and their qualified
7 dependents;

8 2. Establishment of a referral system within the OFWH to ensure
9 efficient delivery of medical and health care services to OFWs and
10 their qualified dependents;

11 3. Strengthening of the existing health benefits and medical assistance
12 programs such as subsidies on hospitalization and medical
13 procedures for OFWs and their qualified dependents, subject to the
14 availability of funds and resources; and

15 4. Active engagement in the Philippine Migrant Health Network, an
16 inter-agency, multi-stakeholder network for migrant health,
17 composed of members from other government, non-governmental
18 agencies, academe, civil society organizations, private sector, and
19 international organizations, to advocate and lobby support for
20 migrant health programs;

21 b. Formulate and promulgate policies, programs, and plans for the sound
22 administration, maintenance, and operations of the OFWH in consultation
23 with the Medical Center Chief;

24 c. Determine the organizational structure and staffing pattern of the OFWH in
25 accordance with the revised compensation and position classification system
26 subject to the evaluation and approval of the DBM and in compliance with
27 the civil service and other pertinent laws, rules, and regulations;

28 d. Appoint and remove OFWH personnel upon the recommendation of the
29 Medical Center Chief subject to civil service rules and regulations and other
30 applicable laws;

31 e. Create a consultative committee and other necessary mechanisms for the
32 effective participation of land-based and sea-based accredited OFW

1 organizations in the formulation of policies for the effective implementation
2 of programs and measures to attain the objectives of the OFWH;

- 3 f. Determine and undertake, in coordination with the Governance Commission
4 for Government-Owned or Controlled Corporation, the appropriate steps for
5 the formal establishment and incorporation of the OFW Hospital in
6 accordance with Republic Act No. 10149, otherwise known as the "GOCC
7 Governance Act of 2011": *Provided*, That the OFWH shall remain under the
8 full control and supervision of the DMW, unless Congress shall provide
9 otherwise; and
- 10 g. Perform such other functions that are necessary for the attainment of the
11 purposes and objectives of this Act.

12 *Sec. 8. Medical Center Chief.* – The Medical Center Chief shall be appointed by
13 the President of the Philippines upon the recommendation of the DMW Secretary.

14 The Medical Center Chief shall have the following duties and responsibilities:

- 15 a. Provide overall direction and strategic leadership to the OFWH toward the
16 provision of high-quality health services;
- 17 b. Oversee all managerial and administrative processes and operations of all
18 department of the OFWH;
- 19 c. Supervise daily activities of functional units;
- 20 d. Ensure high standards in clinical training for medical and allied medical
21 personnel;
- 22 e. Execute, on behalf of the hospital, all contracts and agreements which the
23 hospital may enter into and accomplish and deliver any and all documents
24 relative to such contracts and agreements, subject to the approval of the
25 DMW Secretary;
- 26 f. Represent the hospital in all dealing with other offices, agencies, and
27 instrumentalities of the Government and all other persons or entities,
28 whether domestic or foreign and whether government or private; and
- 29 g. Exercise such other powers and perform such duties as may be vested or
30 reposed by the DMW.

31 *Sec. 9. Duties and Responsibilities of the DOH.* – The DOH shall:

- 1 a. Ensure that the necessary permits and licenses to operate the OFWH are
2 obtained, consistent with relevant issuances, rules, and regulations;
- 3 b. Endorse and encourage medical specialists in other government hospitals
4 such as the Philippine Heart Center, National Kidney and Transplant
5 Institute, Lung Center of the Philippines, National Children’s Hospital, and
6 the Philippine General Hospital, to hold clinics in the OFWH;
- 7 c. Establish OFW centers or wards in DOH-retained hospitals to complement
8 the OFWH. The level of OFW services and corresponding facilities in OFW
9 centers or wards in their respective health human resource requirements
10 shall be determined by the DOH, in coordination with stakeholders:
11 *Provided, That* the standards to be adopted thereon shall be consistent with
12 the Philippine Health Facility Development Plan; and
- 13 d. Perform such other functions that are necessary for the attainment of the
14 purposes and objectives of this Act.

15 *Sec. 10. Support from other Government Agencies.* – The OWWA shall ensure
16 that existing health benefits and medical assistance programs are strengthened for
17 OFWs and their qualified dependents: *Provided, That* nothing in this Act shall be
18 construed to diminish or reduce the existing benefits of OFWs and their dependents
19 provided under Republic Act No. 11223, otherwise known as the “Universal Health
20 Care Act”.

21 All other agencies, department, bureaus, offices, or instrumentalities of the
22 government, including government-owned or -controlled corporations, shall render
23 assistance to the OFWH for the effective implementation of this Act.

24 *Sec. 11. Congressional Oversight Committee.* – There is hereby created a Joint
25 Congressional Oversight Committee which shall be jointly chaired by the Chairpersons
26 of the Senate Committee on Health and Demography and the House of
27 Representatives Committee on Health. It shall be composed of five (5) members from
28 the Senate and five (5) members from the House of Representatives, to be appointed
29 by the Senate President and the Speaker of the House of Representatives,
30 respectively: *Provided, That* at least one (1) member from each house shall come from
31 the Minority.

1 Sec. 12. *Appropriations.* – The amount necessary for the initial implementation
2 of this Act shall be charged against the current year’s appropriation of the concerned
3 departments and agencies. Thereafter, such amount shall be included in the annual
4 General Appropriations Act.

5 Sec. 13. *Implementing Rules and Regulations.* – Within sixty (60) days upon
6 approval of this Act, the DMW shall, in consultation with the DOH and OWWA,
7 promulgate and issue the rules and regulations to effectively implement the provisions
8 of this Act.

9 Sec. 14. *Separability Clause.* – Should any provision herein be declared
10 unconstitutional, the other provisions not affected shall remain in full force and effect.

11 Sec. 15. *Repealing Clause.* – Executive Order No. 154, series of 2021, is hereby
12 repealed. All other laws, decrees, orders, rules and regulations or other issuances or
13 parts inconsistent with the provisions of this Act are hereby repealed, amended, or
14 modified accordingly.

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

Approved,