


FOURTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
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**SENATE**

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Introduced by Senator Manuel "Lito" M. Lapid

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**EXPLANATORY NOTE**

The most popular college degree in the Philippines today is nursing. More than 100,000 Filipino nurses have left the country to seek better opportunities. According to the Department of Health (DOH), 85 percent of the country's total number of licensed nurses are to be found in the hospitals of other countries.

**Demand for Nurses**

The great demand for nurses in the first world countries is caused by the fact that the First World Countries of the world are now experiencing longer lifespan and the graying of their population. These factors create increasing pressure on their health systems for greater response mechanisms to the health problems of a growing proportion of the elderly. However, while the developed countries are experiencing a longer lifespan and the "graying" of their population, their youth population is not interested in the nursing profession because of the difficult and risky work conditions such as evening duties, taking care of the chronically ill and exposure to HIV/AIDS.

Based on available data, the US alone would need around 10,000 nurses per year, while the UK, Ireland, the Netherlands and other European countries would need another 10,000 nurses per year. Furthermore, Canada would need around 10,000 while the Netherlands and the United Kingdom would need around 7,000. Additionally, Austria and Norway have also announced their need for foreign nurses in the coming years. Japan also is expected to open its doors to foreign nurses by the coming years.

**Supply of Nurses**

One of the reasons why the Philippines is a top supplier of nurses in the world is because it produces skilled nursing graduates who can speak good English. The country also supplies 25 percent of all overseas nurses worldwide.

In the year 2001, the Philippine Overseas Employment Administration (POEA), reported the departure of 13, 536 Filipino nurses to 31 countries. The majority of them went to the U.K. with 5, 383 nurses; Saudi Arabia with 5, 045 and Ireland 1,529. This data is definitely a gross underreporting since the International Union of Nurses reported that close to 10,000 Filipino nurses were directly hired by US-based hospitals in 2001 alone through their nursing job fairs held in various parts of the Philippines. In 2002, the POEA further reported that a total of 11,911 Filipino nurses left for 33 countries. In 2003, POEA initially reported 8,968 nurses leaving. Clearly, the trend is here to stay. Sadly, this situation is no longer "brain drain" but more appropriately a "brain hemorrhage" of our skilled Filipino nurses.

## **Reasons for Leaving**

Sometimes, leaving the country may be the best way to help because by staying here, nurses do not have the means to sustained their families. Many of the nurses want to take care of our people but they also have families to feed. The limited career ladder opportunities here are also a push factor. In the Philippines, nurses are not recognized as equal health care partners. In the U.S., it's a collaborative task.

One of the most common reasons why nurses leave the country are the low salary, lack of professional opportunities, the need for adventure, sense of obligation to family, desire to seek foreign citizenship and health reasons. The Philippines will never be able to compete with the salaries offered to nurses in the developed countries. Basic monthly pay abroad ranges from \$3,000 to \$4,000 compared to the \$169 average monthly pay in most cities here. In the rural areas, nurses receive from \$75 to \$95 a month. When one compares the net monthly pay of a nurse in the Philippines and U.S. pay, the choice is certainly understandable. Even dentists are now taking up nursing courses. Yes, our Filipino nurses are globally competitive in professional nursing care and practice but our Filipino salaries will never be competitive.

## **Nursing Shortage in the Philippines**

The annual outflow of Filipino nurses for Years 2001-2002 is two to three times greater than the annual production of licensed nurses during the same two year period. Since 1999, the Professional Regulation Commission (PRC) through the Board of Nursing gives licenses to only 5, 784 to 8,419 nurses annually. So very soon, the Philippines will be bled dry of nurses.

In the last 10 years, the Philippines exported close to 90,000 nurses overseas. In addition, in the last four years alone, 3,500 doctors left the country to take on nursing posts abroad. As a result, we are now exporting more nurses than we are producing, resulting in substandard patient care and a real crisis in hospitals. Dr. Jaime Z. Galvez - Tan, Executive Director of the National Institutes of Health in the Philippines noted that the migration of Filipino nurses is now three times greater than the number of nurses licensed every year. The ones leave the country are the skilled and experienced nurses. Most of those who are still here are relatively unskilled and inexperienced, and this poses serious implications on the quality of health care that they provide. The lack of skilled nurses left in the country will have serious negative implications on the quality of health care in the Philippines.

## **Quality Education of Nurses**

With the proliferation of nursing schools, the quality of nursing education has shown signs of deterioration as measured by the proportion of nursing graduates who pass the Board of Nursing licensure examinations. In 2001, only 54 percent (4,430 nurses) passed the nurse licensure examinations. In 2003, only 45 percent (4, 227 nurses) passed. Compare this with the average proportion who passed the nurse licensure examinations from 1994-1998 which was 57 percent.

In the last few years, less than half of those taking the nursing board exams passed. Many substandard schools have been set up, and many of these play on the dreams of those who aspire for a job abroad. As more nurses leave and as fewer are qualifying for the job, the quality of health delivery in our hospitals is deteriorating. To date, we have a proliferation of unskilled and untrained nurses in our hospitals. One reason is due to a shortage of well trained nursing faculty and nursing instructors. The primary reasons for lack of faculty is the inability to recruit, hire and retain faculty in the current competitive job market, and lack of nursing faculty available in different geographic areas. Our health care system faces unprecedented workforce and health access challenges with forthcoming shortages of deans, nursing teachers and nursing instructors. The shortage of skilled nursing teachers and nursing instructors compromises the quality of patient care.

In view of the foregoing, there is an urgent need to improve the quality of nursing education in order to ensure the production of quality and well trained nurses in the future.

As such, this proposed measure seeks for the institutionalization of the post-graduate training program for nursing teachers and nursing instructors. Under this proposal, those

nursing teachers who have availed of the post-graduate and doctoral scholarship program will be required to teach nursing courses in the country equivalent to two (2) years for every year of scholarship grant. With this, the country will be able to ensure that the future generation of nursing students in the country will be given quality education. Given that their post-graduate nursing studies have been subsidized with the taxes paid by the Filipino people, it is but reasonable that they repay the country with their services.

Moreover, this proposed measure seeks for the creation of a Philippine Cabinet Bilateral Negotiation Team for Nursing Concerns which will be in-charged with bilateral negotiations pertaining to aid packages to the Philippines and financial assistance to continuously train globally competitive nurses in the country, and to improve the quality of our nursing education. This is being envisioned given that eventually, the receiving countries for our nurses will be the ones benefiting from the services of our nurses. The proposed Philippine Cabinet Bilateral Negotiation Team will be tasked to come up with concrete program plan for nursing which will be discussed with the receiving countries in order to ensure the sustainable approach in managing the nursing human resource situation in the country.

This proposal is seen as reasonable since these receiving countries do not spend a single centavo in the production, training, education and licensure of these Filipino nurses. At the very least, they should be able to give grants-in-aid to our country since they are benefiting from the services of our highly skilled nurses. While we cannot stop the outflow of nurses outside the country, the government has to provide the mechanism in order to ensure that we still have qualified and highly trained nursing teachers to educate the future stock of nursing graduates in this country.


This proposed measure also mandates the Department of Health (DOH) to conduct a national study on the nursing situation in the country in order to identify the constraints and factors encountered by schools of nursing in educating our nursing students in order to meet the health care needs of the country.

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

  
**MANUEL "LITO" M. LAPID**  
Senator

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**AN ACT**  
**TO INSTITUTE A MECHANISM THAT WILL PROMOTE SUSTAINABLE**  
**AND QUALITY NURSING EDUCATION IN THE COUNTRY AND FOR**  
**OTHER PURPOSES**

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

**SECTION 1. *Short Title.*** - This Act shall be known as the "***Sustainable Nursing Education Program of 2007***".

**SEC. 2. *Declaration of Policy.*** - It is the policy of the State to promote the right to health and ensure the high standards in the practice of the nursing profession in the country. As such, the State shall institutionalize a comprehensive program for the nursing profession in order to ensure the production of quality and well trained nurses for the future generation of this country.

Towards this end, the State shall provide the holistic mechanisms to update and improve the scientific knowledge and technical skills of our nursing graduates in order to promote quality health care service delivery to our patients.

**SEC. 3. *Nursing Faculty Post Graduate Training Program.*** - To ensure that the future generation of nursing students in the country will be given quality education, there is hereby established a Nursing Faculty Post Graduate Training Program envisioned to provide post-graduate and doctoral training program for our nursing teachers and instructor in order for them to become effective nursing educators.

**SEC. 4. Eligibility Requirement for the Nursing Faculty Post-Graduate Education Program.** - To be eligible to receive a scholarship grant under this Act, an entity shall—

- (1) possess a comprehensive knowledge of the subject area to be taught as evidenced by a satisfactory rating on a standardized test;
- (2) demonstrate mastery in the field of nursing education and have a strong record of positively affecting academic achievement, as demonstrated by observations from supervisors and student data;
- (3) has been teaching nursing subjects in colleges and universities for not less than three (3) years;
- (4) possess certification in the field and level in which the nursing faculty primarily taught during the 3 years preceding the year for which the determination is made;
- (5) is employed as a full-time nursing faculty in an academic institution duly accredited by the Commission on Higher Education (CHED); and
- (6) possess other attributes that are linked to effective teaching, as identified by CHED.

**SEC. 5. Distribution of Awards.** - The CHED, in awarding the Nursing Faculty Post Graduate Scholarship Grants, shall consider the distribution of awards among eligible individuals of regions and geographic locations.

(a) *Merit Review.* — The post-graduate scholarship grants to be given to the nursing faculties and instructors, as provided for in this Act, shall be given on a competitive and merit-reviewed basis. The criteria for an award under this Act shall include the impact of the award on the overall geographic distribution of the program with the objective of avoiding undue concentration of scholarship awards in one (1) region.

(b) *Use of Grants.* - The Scholarship Grants provided for under this Act shall be used by the Commission on Higher Education (CHED) to develop and implement a program to further train our nursing faculty and instructors to become effective nursing teachers, through developing and offering post-graduate and doctoral academic degree programs in the field of nursing education in order to prepare our nursing teachers to become effective educators.

(c) *Application Process.* - Any eligible individual who desires to be a recipient of the Nursing Faculty Post Graduate Scholarship Program, as envisioned under this Act, shall submit an application to any of the Regional and Provincial Offices of the Commission on Higher Education (CHED) in such manner and accompanied by such information as the Commission will require.

(d) *Recruitment and Selection of Eligible Individuals for the Nursing Faculty Post Graduate Scholarship Program.* - The CHED shall recruit eligible individuals for the Nursing Faculty Post Graduate Scholarship Program. The Post Graduate Scholarship Grants, envisioned under this Act, shall be awarded to nursing faculties who have been teaching nursing education subjects in colleges and universities.

(e) *Coverage of the Scholarship.* - The coverage of the scholarship to be awarded to nursing faculties shall include tuition fees, book allowance, reasonable stipend and transportation allowance. The maximum years of scholarship grant shall be determined by CHED based on the nature of the post-graduate and doctoral academic degree.

(f) *Appropriation.* - To implement the provisions of this section, there is hereby authorized to be appropriated to the Commission on Higher Education (CHED) the amount of Php 100,000,000.00 to be used exclusively for the implementation of the Nursing Faculty Post Graduate Program, as defined under this Act.

**SEC. 6. *Service Obligations of the Scholars.*** - A recipient of the Nursing Post Graduate Training programs, provided for in this Act, shall be required after graduation from the post-graduate or doctoral degree program for which the scholarship was awarded, to undertake a teaching-year-service as a nursing faculty to his/her parent institution equivalent to two (2) years for every year of scholarship grant.

As a pre-condition of acceptance of the Nursing Faculty Post Graduate Training Program, as provided for under this Act, a recipient shall enter into an agreement with the Commission on Higher Education (CHED) —

(a) accepting the terms of the scholarship pursuant to guidelines set forth by CHED;

(b) agreeing to teach as a full-time nursing faculty to his/her parent institution equivalent to two (2) years for every year of the scholarship award after completing the course of study for which the applicant received a scholarship grant;

(c) agreeing to provide the CHED with annual certification of employment and up to-date contact information and to participate in surveys provided by CHED as part of an ongoing assessment program; and

(d) agreeing that in the event that the recipient is determined to have failed or refused to carry out such service obligation, the sum of the amounts of such scholarship grant will be treated as a loan and collected from the applicant in accordance with guidelines and regulations set forth by CHED.

**SEC. 7. *Philippine National Council for Nursing.*** - There is hereby created a Philippine National Council for Nursing (PNCN) which shall be composed of

all the major national organizations involved in the nursing profession, namely: the Philippine Nurses Association, the Association of Deans of Colleges and Schools of Nursing, the Board of Nursing, the League of Government Nurses, and the Private Duty Nurses Association.

The Philippine National Council for Nursing shall perform the following functions, namely:

- a) to develop a 10-year strategic and operational plan for nursing education and human resource development in the Philippines;
- b) to act as an oversight body for the implementation of all nursing policies, legislations and regulations;
- c) to be the locus for the national data bank on nurses and nursing;
- d) to be the national sounding board for all nursing issues and concerns; and
- e) to coordinate all efforts in uplift and upgrade the nursing profession.

**SEC. 8. Purpose and Objectives of the Council.** - The Philippine National Council for Nursing shall be instituted to serve the following objectives and purposes, namely:

- a) to elevate the standards of health service delivery in the nursing profession in the country;
- b) to improve the health service delivery and enable the nurse health providers to discharge their responsibilities effectively;
- c) to foster and maintain high ideals of integrity, learning, professional competence, and medical conduct in the practice of the nursing profession;
- d) to provide forum and avenue for discussion of new nursing techniques and equipments in the delivery of health provider – patient relationship;
- e) to promote a continuing program of nursing research, and disseminate the same through Information, education and communication (IEC) campaigns;
- f) to bring together and unite the entire nursing profession in the Philippines;
- g) to serve as an authoritative source of information regarding the practice of the nursing profession; and
- h) to promote the practice of the nursing profession in the context of Philippine setting.

For this purpose, there is hereby created a position of an Undersecretary of Health for Nursing Concerns, who should be a nurse, to chair the *Philippine National Council for Nursing*.

**SEC. 9. Sources of Funds.** - The funds of the Philippine National Council for Nursing shall be derived from dues and assessments, donations, bequests,

contributions of members, affiliation fees, as well as income from conventions, investments and projects of the Philippine National Council for Nursing, and income-generating activities of the Council.

**SEC. 10. *Philippine Cabinet Bilateral Negotiation Team for Nursing Concerns.*** - There is hereby created and institutionalized, under this Act, a Philippine Cabinet Bilateral Negotiation Team to be composed of the Secretaries of the Department of Foreign Affairs (DFA), Department of Labor and Employment (DOLE), the National Economic Development Authority (NEDA), Commission on Higher Education (CHED), Department of Trade and Industry (DTI) and the Department of Health (DOH).

The Philippine Cabinet Bilateral Negotiation Team for Nursing Concerns is tasked with the primary duty to conduct bilateral discussions with the receiving countries of our nursing graduate, whose discussion will on issues concerning partnership approach between the Philippines and these receiving countries.

Philippine Cabinet Bilateral Negotiation Team for Nursing Concerns will be in-charged with negotiations pertaining to aid packages to the Philippines and financial assistance to continuously train our nursing students, constantly improve the quality of our nursing education, to offer nursing scholarship grants to our nursing faculties and nursing instructors. The negotiating team shall be tasked to come up with concrete programs for nursing and health human resource development for discussions with the receiving countries in order to ensure the sustainable approach in managing the nursing human resource situation in the country.

**SEC. 11. *Long Term Study on the State of Nursing Education in the Country.*** - The Department of Health (DOH) is hereby mandated to conduct a comprehensive study on the state of the long-term nursing supply and demand in the country, which shall include the following variables:

(1) The trends in applications for attendance at schools of nursing, including trends regarding applicants who are accepted for enrollment in nursing;

(2) The number and demographic characteristics of entry-level and graduate students currently enrolled in our schools of nursing, the retention rates at the schools, and the number of recent graduates from the schools, as compared to previous years and to the projected need for registered nurses based on two-year, five-year, and ten-year projections;

(3) The number and demographic characteristics of nurses who pursue graduate education in nursing and non-nursing programs but do not pursue faculty positions in schools of nursing, the reasons thereof, including any regulatory barriers to



choosing to pursue such positions, and the effect of such decisions on the ability of the schools to obtain adequate numbers of faculty members;

(4) The extent to which entry-level graduates of the schools are satisfied with their educational preparation, including their participation in nurse externships, internships, and residency programs, and to which they are able to effectively transition into the nursing workforce;

(5) The satisfaction of nurse administrators with respect to the preparation and performance levels of entry-level graduates from the schools after one-year, three-year, and five-years of practice;

(6) The extent to which the current salary, benefit structures, and characteristics of the workplace, including the number of nurses who are presently serving in faculty positions, influence the career path of nurses who have pursued graduate education; and

(7) The extent to which the use of innovative technologies clinical nursing education might provide for an increase in the ability of schools of nursing to train qualified nurses.

The Department of Health is hereby required to report to Congress the results of the study for policy implication purposes to facilitate the recruitment of students into the nursing profession; to facilitate the retention of nurses in the workplace; and to improve the resources and ability of the education and health care systems to prepare a sufficient number of qualified registered nurses in the country.

**SEC. 12. *Creation of a Nursing Development Trust Fund.*** - There is hereby established in the Commission on Higher Education (CHED) a trust fund in the initial amount of Php 100,000,000.00 pesos to be known as the "Nursing Development Trust Fund", hereafter referred to as the "Nursing Fund" to be administered by CHED to implement the provisions of this Act.

a) *Investment of Trust Fund.* - The CHED shall direct the Treasurer of the Philippines of the Bureau of the Treasury to invest and reinvest the Nursing Fund in public debt securities with maturities suitable for the needs of the Trust Fund, and bearing interest at rates determined by the Bureau of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the country of comparable maturities. Interest earned shall be credited to the Nursing.

b) The income accruing from the Nursing Fund principal shall be used to contribute to the funding of scholarships awarded pursuant to the provisions of this Act.

**SEC. 13. *Report to Congress.*** - Within three (3) years from the effectivity of this Act, the Secretary of the Department of Health (DOH) shall conduct an evaluation of

the implementation of the provisions of this Act. The Secretary of Health shall submit to both Houses of Congress a report, which shall include, among others, the following data, namely:

- a) An examination of the capacity of nursing schools to meet workforce needs on a nationwide basis;
- b) An analysis and discussion of sustainability options for the state of nursing supply and demand in the country;
- c) An examination on the implementation of the post graduate nursing education training for our nursing faculties and instructors in providing sustainable supply of nurses in the country;
- d) An analysis of the impact of this Act on the production of quality nursing education in the country;
- e) An analysis of the compensation disparities between nursing clinical practitioners and nurse faculty and between higher education nurse faculty and higher education faculty overall;
- f) Policy recommendations to enhance faculty retention and the nursing workforce in the country.

**SEC. 14. *Implementing Rules and Regulations (IRR).*** – The Commission on Higher Education (CHED), in consultation with the Department of Health (DOH), the *Philippine Nurses Association*, the *Association of Deans of Colleges and Schools of Nursing*, the *Board of Nursing*, the *League of Government Nurses*, and the *Private Duty Nurses Association*, shall promulgate the implementing rules and regulations of this Act within 90 days after the enactment of Act.

**SEC. 15. *Repealing Clause.*** – All laws, decrees, executive orders, rules and regulations or parts thereof not consistent with the provisions of this Act are hereby repealed or modified accordingly.

**SEC. 16. *Separability Clause.*** – If any provision or part of this Act, or the application thereof to any person or circumstance, is held unconstitutional or invalid, the remainder of this Act shall not be affected thereby.

**SEC. 17. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days from the date of its complete publication in the *Official Gazette* or in at least two (2) national newspapers of general circulation.

*Approved,*