


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

SECRET

RECEIVED BY: 

SENATE
S.B. No. 2154

Introduced by Senator Loren Legarda

EXPLANATORY NOTE

The constitutional mandate to provide integrated and comprehensive social services and measures to ensure that senior citizens are adequately assisted affirms the State's recognition of the elderly as significant members of the society. Article XII, Section 11 of the Constitution provides that the needs of the elderly shall be given priority, including, but not limited to, making essential goods, health and other social services available at affordable cost.

Republic Act No. 7432, otherwise known as the "Senior Citizens Act," as amended by Republic Act No. 9257 or the "Expanded Senior Citizens Act of 2003" were enacted to grant benefits and special privileges to the elderly in response to the State's constitutional mandate. These laws granted a twenty percent (20%) discount to senior citizens, with government-issued senior citizen card, for the utilization of services in hotels and similar lodging establishment, restaurants and recreation centers, and purchase of medicines in all establishments; admission fees charged by theaters, cinema houses and concert halls, circuses, carnivals, and other similar places of culture, leisure and amusement; medical and dental services, and diagnostic and laboratory fees; fare for domestic air and sea travel; and public railways, skyways and bus fare for the exclusive use or enjoyment of senior citizens.

However, amendments to these existing privileges are fundamental to adjust to recent events and social realities and to effectively carry out the objectives of said laws. The twelve percent (12%) Expanded Value Added Tax (EVAT) resulted to senior citizens effectively receiving less than half of the (20%) discount intended.

Another common difficulty encountered by the senior citizens is the refusal of establishments, particularly some pharmacies and drug stores, to honor the senior citizen card and their imposition of additional requirements not provided in the law, such as a written authorization from the ill senior citizen. An additional concern for most elderly is their frequent hospitalization due to their health condition, worsened by their vulnerability to contract diseases during their hospitalization.

This bill therefore seeks to amend RA 7432, as amended by RA 9257, in order to address the above concerns of our valued senior citizens by:

- (a) increasing the discount granted to them to thirty-two percent (32%);
- (b) imposing stiffer penalties to pharmacies and drug stores which refuse to honor senior citizen card issued by the government; and

- (c) providing them free vaccination against influenza virus and other pneumococcal disease prior to their discharge from any government hospital where he or she is admitted for a period of more than twenty-four (24) hours for a condition unrelated to the influenza virus or pneumococcal disease.

The intent of the bill is threefold: re-enforce State support for senior citizens through discounts, sanction pharmacies and drug stores for non-compliance of the Senior Citizens Act and effectively address the health concern of our senior citizens.

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



LOREN LEGARDA
Senator

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AN ACT
GRANTING ADDITIONAL BENEFITS AND PRIVILEGES TO SENIOR CITIZENS
AMENDING FOR THE PURPOSE REPUBLIC ACT 9257, OTHERWISE KNOWN AS
THE "EXPANDED SENIOR CITIZENS ACT OF 2003" AND FOR OTHER
PURPOSES

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

SECTION 1. *Title.* - This Act shall be known as the "Expanded Senior Citizens Act of 2008".

SECTION 2. *Additional Privileges for Senior Citizens* - Section 4 of R.A. No. 9257, otherwise known as the "Expanded Senior Citizens Act of 2003" is hereby further amended to read as follows:

"Sec. 4. Privileges for the Senior Citizens. - The Senior Citizens shall be entitled to the following:

(a) the grant of [twenty percent (20%)] **THIRTY-TWO PERCENT (32%)** discount from all establishments relative to the utilization of services in hotels and similar lodging establishment, restaurants and recreation centers, and purchase of medicines in all establishments for the exclusive use or enjoyment of senior citizens, including funeral and burial services for the death of senior citizens;

(b) a minimum of [twenty percent (20%)] **THIRTY-TWO PERCENT (32%)** discount on admission fees charged by theaters, cinema houses and concert halls, circuses, carnivals, and other similar places of culture, leisure and amusement for the exclusive use or enjoyment of senior citizens;

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(f) **FREE VACCINATION AGAINST THE INFLUENZA VIRUS AND PNEUMOCOCCAL DISEASE PRIOR TO THEIR DISCHARGE FROM ANY GOVERNMENT HOSPITAL WHERE HE OR SHE IS ADMITTED FOR A PERIOD OF MORE THAN TWENTY-FOUR (24) HOURS FOR A CONDITION UNRELATED TO THE INFLUENZA VIRUS OR PNEUMOCOCCAL DISEASE;**

[f] (g) the grant of [twenty percent (20%)] **THIRTY-TWO PERCENT (32%)** discount on medical and dental services, and diagnostic and laboratory fees provided under Sec. 4 (e) hereof, including professional fees of attending doctors in all private hospitals and medical facilities, in accordance with the rules and regulations to be issued by the Department of Health, in coordination with the Philippine Health Insurance Corporation;

[g] (h) the grant of [twenty percent (20%)] **THIRTY-TWO PERCENT (32%)** discount in fare for domestic air and sea travel for the exclusive use or enjoyment of senior citizens;

[h] (i) the grant of [twenty percent (20%)] **THIRTY-TWO PERCENT (32%)** discount in public railways, skyways and bus fare for the exclusive use and enjoyment of senior citizens;"

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SECTION 3. *Stiffer Penalties on Pharmacies and Drug Stores which Refuses to Honor Senior Citizen Card Issued by the Government* - Section 8 of RA No. 9257 is hereby further amended to read as follows:

"Sec. 8 - Penalties - Any person who violates any provision of this Act shall suffer the following penalties:

(1) For the first violation, a fine of not less than Fifty thousand pesos (P50,000.00) but not exceeding One hundred thousand pesos (P100,000.00) and imprisonment of not less than six (6) months but not more than two (2) years; and

(2) For any subsequent violation, a fine of not less than One hundred thousand pesos (P100,000.00) but exceeding Two hundred thousand pesos (P200,000.00) and imprisonment for not less than two (2) years but not less than six (6) years.

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If the offender is a corporation, organization or any similar entity, the official thereof directly involved shall be liable therefore; **PROVIDED, THAT THE OWNER, MANAGER AND/OR EMPLOYEE OF ANY PHARMACY AND DRUG STORE WHO REFUSES TO HONOR THE SENIOR CITIZEN CARD ISSUED BY THE GOVERNMENT SHALL, IF FOUND GUILTY, BE PUNISHED WITH A FINE OF NOT LESS THAN ONE THOUSAND PESOS (P1,000) NOR MORE THAN FIVE THOUSAND PESOS (P5,000) OR IMPRISONMENT OF NOT LESS THAN ONE (1) MONTH NOR MORE THAN SIX (6) MONTHS OR BOTH SUCH FINE AND IMPRISONMENT AT THE DISCRETION OF THE COURT.**

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THE OFFICE FOR THE SENIOR CITIZENS AFFAIRS (OSCA) SHALL, UPON COMPLAINT, ASSIST THE SENIOR CITIZEN IN FILING A COMPLAINT AGAINST A BUSINESS ENTITY WITH THE CITY OR MUNICIPAL TRIAL COURT."

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SECTION 4. *Implementing Rules and Regulations* - Within thirty (30) days from the effectivity of this Act, the Secretary of Social Welfare and Development shall formulate and adopt amendments to the existing rules and regulations implementing Republic Act No. 7432, as amended by Republic Act No. 9257, to carry out the objectives of this Act, in consultation with the Department of Finance, Department of Tourism, Department of Trade and Industry, Department of Labor and Employment, Department of Health, Department of Interior and Local Government and Department of Transportation and Communications.

SECTION 5. *Repealing Clause* - All laws, executive orders, rules and regulations, or any part thereof inconsistent herewith are deemed repealed or modified accordingly.

SECTION 6. *Separability Clause* - If any part of provision of this Act shall be declared unconstitutional and valid, such declaration shall not invalidate other parts thereof, which shall remain in full force and effect.

SECTION 7. *Effectivity* - This Act shall take fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved,