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SENATE -

S.B. No. 3060

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Introduced by Senator Loren Legarda

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#### EXPLANATORY NOTE

The Philippines is known internationally as a source of competitive, highly qualified, and skilled health workers, otherwise known as Human Resources for Health (HRH). Filipino doctors and nurses are deployed in various parts of the world. But in recent years, the trend among doctors is to train in nursing while students of medicine are shifting to nursing. Undeniably, being a nurse in such countries as the United States and Canada is much more financially rewarding than being a doctor in the Philippines. The reduction in the number of doctors and the migration abroad of Filipino nurses and other health workers en masse are threatening the adequate delivery of health services in the country.

The Philippine Constitution has foreseen this problem by mandating that "The State shall establish and maintain an effective food and drug regulatory system and undertake appropriate health manpower development and research, responsive to the country's health needs and problems." Several government agencies have undertaken this mandate but because they are uncoordinated, programs and policies are fragmented, inconsistent and incongruent thereby rendering them ineffective and inefficient in promoting the health of the people.

To address this problem, the Department of Health and the World Health Organization developed in 2005 the Human Resources for Health Master Plan (HRHMP) to serve as a framework that will support HRH development in the country. According to the plan, a network of different organizations relevant to HRH will be created. The network will facilitate the implementation of programs and activities needing multi-sectoral coordination. To better implement plan, the DOH spearheaded in 2006 the creation of the Human Resources for Health Network (HRHN), which is composed of government agencies and non-government organizations with the common aim of solving and responding to HRH issues and problems.

In two years of its existence, the network has efficiently undertaken projects and activities geared at solving the most pressing HRH problem of the moment, particularly migration. HRH experts, seeing the potential of the network as a solution to the aforementioned HRH problems, recommended the institutionalization of the network so that its maintenance and continued functioning could be ensured until it had already substantially, if not completely, attained its objectives. This is to be done without turning the network into a government agency because that might result in the usual government bureaucracy woes affecting the network.

It was determined that the best set up for the network is its institutionalization and for it to craft and implement programs through different government agencies and non-government organizations.

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



**LOREN LEGARDA**

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**AN ACT INSTITUTIONALIZING THE HUMAN RESOURCES FOR  
HEALTH NETWORK AS A STRUCTURE TO SUPPORT HUMAN  
RESOURCES FOR HEALTH DEVELOPMENT IN THE PHILIPPINES**

*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 "Human Resources for Health Network Act of 2009".

**SECTION 2. *Declaration of Policy.*** The Philippine Constitution of 1987 declares that the State shall "undertake health manpower development" that will be responsive to the health needs of the population.

**SECTION 3. *Definition of Terms and Abbreviations.*** The terms and abbreviations used in this Act are as follows:

- a. Health manpower development- same term as human resources for health (HRH) development. It concerns three aspects particularly planning, production and management of HRH.
- b. Human Resources for Health (HRH) - a universal term for health care workers. Health care workers as defined by the World Health Organization are "people whose job it is to protect and improve the health of their communities".
- c. Human Resources for Health Network (HRHN) - a multi-sectoral organization composed of different government agencies as well as non-government organizations with an aim of supporting HRH development in the Philippines.
- d. Human Resources for Health Master Plan (HRHMP) - a 25-year plan with a goal of providing the Philippine health care system with an adequate number of competent HRH that are equitably distributed all over the country.

**SECTION 4. *Recognition of the Human Resources for Health Network (HRHN).*** The Human Resources for Health Network shall be recognized as the structure or organization that will be responsible for HRH development in the Philippines.

**SECTION 5. *Objectives of the HRHN.*** The HRHN shall have the following objectives:

1. Facilitate implementation of programs of the Human Resources for Health Master Plan (HRHMP);
2. Provide policy directions and develop programs that would address and respond to HRH issues and problems;
3. Harmonize existing policies and programs pertaining to HRH among different government agencies and non-government organizations;
4. Develop and maintain an integrated database containing pertinent information of HRH from production, distribution, utilization up to retirement and migration;
5. Advocate human resource development and management in the health sector;
6. Perform workforce planning at the national level; and
7. Monitor and evaluate sectoral HRH policies and programs.

**SECTION 6. *Membership.*** The Department of Health shall be the lead agency of the HRHN. On the other hand, all other government agencies with mandates on HRH development such as the Department of Foreign Affairs, Department of Interior and Local Government, Department of Labor and Employment, Department of Budget and Management, Philippine Overseas Employment Administration, Overseas Workers Welfare Administration, Technical Education and Skills Development Authority, National Economic and Development Authority, Commission on Filipinos Overseas, Commission on Higher Education, Professional Regulations Commission, Civil Service Commission, Government Service Insurance System and Social Security System shall be members of the HRHN.

Likewise, non-government organizations and the academe which are recognized as partners in supporting HRH development are hereby encouraged to be members of the HRHN.

**SECTION 7. *Organizational Structure.*** The HRHN shall be composed of three (3) Technical Working Groups (TWG) and one (1) Oversight Committee. The three TWG are composed of the TWG on Entry, TWG on Workforce and TWG on Exit. Each TWG shall address HRH problems and issues pertinent to their TWG with the TWG on Entry on matters concerning planning, education and recruitment; TWG on Workforce on issues involving supervision, compensation, systems support and lifelong learning and the TWG on Exit on career choice, health and safety, migration and retirement. The main function of the TWG shall involve prioritization of HRH issues and problems as well as drafting of policy recommendations and or development of programs that are suitable to the prioritized HRH issues.

The TWG shall recommend its draft policies and programs to the Oversight Committee which in turn shall be composed of the heads of different member organization. The Oversight Committee shall function as the decision making body of the HRHN. It shall review and act upon all the recommendations of the different TWG. The Department of Health, having spearheaded the creation of the HRHN, shall act as the Chair of the Oversight Committee.

In order to facilitate coordination among members of the HRHN, the Department of Health as the lead agency shall provide the Secretariat. The Secretariat shall act as the coordinating body of the HRHN and shall provide the following

functions such as but not limited to setting of meetings, managing of important logistics and circulation of information and documents among members.

**SECTION 8. *Composition of the Oversight Committee, TWG and Secretariat.***

The Oversight Committee shall be composed of the heads of government agency and non-government organization or his/her duly appointed representative who has the authority to act on his/her behalf. The TWG, on the other hand, shall be composed of a permanent and an alternate member representing each member organization. The TWG member shall be at the level of a director, division chief, or holder of equivalent position of the concerned bureau/agency/organization. A representative of the Health Human Resource Development Bureau of the Department of Health shall serve as the secretariat for each TWG and the Oversight Committee.

**SECTION 9. *Development and Maintenance of an Integrated Database on HRH.***

In relation to objective No.4 of the HRHN in Section 2, the HRHN shall develop and maintain an integrated database containing relevant HRH information that can be used for evidence based planning and policy making. As such, all abovementioned government agencies shall share the necessary HRH information in their database to the HRHN integrated database and update these data on a periodic basis.

**SECTION 10. *Budget appropriation.***

The Department of Health as the lead agency shall appropriate seed/initial funds for the sustainability of the HRHN. The network shall maximize the member agencies' resources for the network projects. All other government agencies shall contribute a part of their budget for the development, implementation as well as monitoring and evaluation of all policies, programs, projects and activities of the HRHN. Likewise, non-government organizations and private sectors organizations are encouraged to contribute a part of their budget and other resources deemed necessary for all the undertakings of the HRHN.

**SECTION 11. *Implementing Rules and Regulations.*** The Department of Health shall spearhead the drafting of the implementing rules and regulations of this Act within a year after the effectivity hereof.

**SECTION 12. *Separability Clause.*** If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

**SECTION 13. *Repealing Clause.*** Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provisions of this Act is hereby repealed, modified or amended accordingly.

**SECTION 14. *Effectivity Clause.*** This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,