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SENATE

S.B. No. 1369

RECEIVED BY: *ja*

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Introduced by SENATOR JINGGOY EJERCITO ESTRADA

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EXPLANATORY NOTE

It is a policy of the State to protect and promote the right to health of the people and instill health consciousness among them. Accordingly, Section 11, Article XIII of the 1987 Philippine 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. X x x"

The incidence of ear, nose, throat, head and neck (ENTHN) disorders in the country has become more prevalent and has affected the quality of life of most Filipinos. Respiratory tract infections which include colds, sinusitis, nasopharyngitis and laryngitis are among the leading causes of morbidity in the Philippines. Study shows that ratios of 1 to 2 per 1000 live births are born with cleft lip or cleft palate. More than one million Filipinos, on the other hand, are estimated to have hearing impairment. ENTHN disorders not only affect the productivity and performance of a person but also cause permanent disabilities and deformities. Despite the high prevalence rate of ENTHN diseases and their tremendous effect on health, these conditions have not been given enough attention and priority.

This bill, therefore, seeks to establish the Philippine Ear, Nose and Throat (ENT) Center which will provide comprehensive, high quality, affordable and specialized medical services for the prevention, control and treatment of ear, nose, throat, head and neck disorders.

The establishment and maintenance of the Philippine ENT Center will focus on the ENT diseases to primarily benefit persons suffering from ENTHN diseases and those who are unable to secure the necessary medical treatment because of the high cost of specialized medical services. The Philippine ENT Center will ensure the accessibility and availability of specialized medical services needed by ENT patients in the country. The Center will also enhance and integrate the research undertakings of the government on these diseases. Further, the Philippine ENT Center will be the venue for advanced training of medical and technical personnel to render high quality and state of the art medical services for the prevention, control and treatment of ENTHN disorders.

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

  
JINGGOY EJERCITO ESTRADA  
Senator



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AN ACT

ESTABLISHING THE PHILIPPINE EAR, NOSE AND THROAT (ENT) CENTER AND  
APPROPRIATING FUNDS THEREFORE

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

**SECTION 1. Declaration of Policy.** – It is hereby declared policy of the State to promote and protect the right of the people to health by providing specialized health and medical services that will secure their well-being. Towards this end, the State shall establish an ear, nose and throat (ENT) center that will provide comprehensive, high quality, affordable and specialized medical services for the prevention, control and treatment of ear, nose, throat, head and neck (ENTHN) diseases.

**SEC. 2. Philippine Ear, Nose and Throat (ENT) Center.** – The Philippine Ear, Nose and Throat (ENT) Center, hereinafter referred to as the Philippine ENT Center is hereby established under the supervision of the Department of Health to intensify and consolidate the efforts and programs of the government in the prevention, diagnosis and treatment of ENTHN diseases and provide comprehensive high quality, affordable and specialized medical services to citizens afflicted with ENTHN disease.

The Philippine ENT Center shall have the following objectives:

- a) Construct, establish, equip, operate and maintain a medical institution which shall specialize in the prevention, diagnosis and treatment of ENTHN diseases, and provide medical care, rehabilitation and relief of persons suffering from it;
- b) Undertake medical and scientific researches relative to the prevention, diagnosis, treatment of ENTHN diseases and create public awareness on its prevention and control through information dissemination;
- c) Finance, sponsor, hold or participate in congresses, conventions, conferences, seminars, workshops and training programs on ENTHN diseases, diagnosis and management;
- d) Facilitate and encourage the dissemination and exchange of ideas and information on the prevention, control and treatment of ENTHN diseases;
- e) Encourage and assist in the education and training of physicians, nurses, health officers, social workers and other medical and technical personnel in the practical and scientific conduct and implementation of ENTHN diseases prevention and treatment programs;

- f) Coordinate and consolidate various efforts and activities of the government in delivering more effective medical services to treat and prevent ENTHN diseases; and
- g) Help in the promotion of Philippine medical tourism by offering top quality and world class medical services in treating ENTHN disorders.

**SEC. 3. Scope of Services.** – Consistent with its objectives, the Philippine ENT Center shall provide the following services:

- a) Hospital-based services to ensure the availability of medical facilities and equipment necessary to provide treatment of ENTHN diseases;
- b) Community-based services to develop and implement community-based programs in partnership with local government units, conduct research and external resource outsourcing to implement community-based diagnosis and treatment of ENTHN diseases;
- c) Education programs to pursue excellence and the highest level of practice in the specialized field of ENTHN diseases and other related fields, conduct post-graduate training and short-term courses for medical doctors and allied medical professionals; and
- d) Program development and research to develop cutting edge research and programs to combat diseases of the ear, nose, throat, head and neck.

**SEC. 4. Board of Trustees.** – The Philippine ENT Center shall be administered by a Board of Trustees, hereinafter referred to as the Board, to be composed of seven (7) members to be appointed by the President of the Philippines upon the recommendation of the Secretary of Health.

The members of the Board shall serve for a period of three (3) years. All members shall serve without compensation other than actual and necessary expenses, in accordance with the existing laws, policies and rules and regulations on the matter, incurred either for attendance in meetings of the Board or upon official business authorized by a resolution of the Board.

**SEC. 5. Powers and Functions.** – The Board shall have the following powers and functions in addition to their general powers of administration:

- a) Formulate and adopt the by-laws, rules and regulations, policies, guidelines and procedures consistent with law and the provisions of this Act to govern the administration and operations of the Philippine ENT Center;
- b) Formulate and develop programs for the prevention, control and treatment of ENTHN diseases and adopt measures which are necessary to carry out the provisions of this Act;
- c) Enter into such agreements and arrangements with other medical institutions, domestic or foreign, as may be necessary in attaining the purposes and objectives of the Philippine ENT Center;
- d) Receive in trust legacies, gifts and donations of real or personal property of all kinds and to administer the same for the benefit of the Philippine ENT Center, in accordance with the directions and instructions of the donor, and in default thereof, in such manner as in its direction the Board may determine;
- e) Acquire and hold property of whatever nature or description, and to dispose such properties under any mode of encumbrance and conveyance;

- f) Invite foreign ENTHN specialists and similar experts in the various medical fields to train the personnel of the Philippine ENT Center or send personnel to research or medical institutes or universities for advance training or observation or to attend international or regional conventions, conferences, congresses and seminars as the Board may deem necessary to accomplish the purposes and objectives of the Philippine ENT Center; and
- g) Perform all such other acts and things as are or may be necessary for or incidental to the accomplishment of the objectives of the Philippine ENT Center.

**SEC. 6. Organizational Structure and Staffing Pattern.** – The Board shall determine the organizational structure and staffing pattern of the Philippine ENT Center subject to the evaluation by the Civil Service Commission and of the Organization Position Classification and Compensation Bureau of the Department of Budget and Management. The Board may reorganize said structure, modify the staffing pattern and create or abolish divisions, sections or units in the Philippine ENT Center.

**SEC. 7. Appointment by the Board.** – The Board shall have the authority to appoint, promote, transfer, remove, suspend or otherwise discipline the officers and employees of the ENT Center upon the recommendation of the Executive Director, subject to civil service laws, rules and regulations.

**SEC. 8. Executive Director.** – The Philippine ENT Center shall be administered by an Executive Director who shall be appointed by the President of the Philippines upon the recommendation of the Board of Trustees.

The Executive Director shall exercise the following powers and functions:

- a) Execute the policies, guidelines and programs approved by the Board, and be responsible for the efficient discharge of management and operational functions;
- b) Submit for the consideration and approval of the Board proposed measures, policies and guidelines and programs as may be deemed necessary for the effective implementation of the purposes and objectives of this Act;
- c) Direct and supervise the management, operation and administration of the Philippine ENT Center, and may delegate this power and any or some of the administrative responsibilities and duties to the other officers of the Philippine ENT Center;
- d) Recommend to the Board the appointment, promotion, transfer, dismissal and suspension of the officers and employees of the Philippine ENT Center;
- e) Execute on behalf of the Board all contracts and agreements which the latter may enter into, and to execute, accomplish and deliver any and all documents relative to such contracts and agreements; and
- f) Exercise such other powers and perform such other duties as may be vested by the Board.

**SEC. 9. Program for Indigents.** – The Board shall ensure that the Philippine ENT Center shall adopt and enforce a program for indigents. The number of beds allocated for indigent patients shall not be less than forty percent (40%) of the total number of hospital beds.

**SEC. 10. Tax Exemptions and Privileges.** – The provision of any general or special law to the contrary notwithstanding, all donations, grants, contributions, gifts or endowments received by the Philippine ENT Center pursuant hereto, shall be exempt from income, gift and all other kinds of taxes, and shall be further considered as allowable deductions from the gross income of the donor, in accordance with the provisions of the National Internal Revenue code of 1997, as amended.

The Philippine ENT Center is hereby declared exempt from all income and all other internal revenue taxes, tariff and customs duties and all other kinds of taxes, fees, charges and assessment levied by the government and its political subdivisions, agencies and instrumentalities.

The Philippine ENT Center may request and receive assistance from the different agencies, bureaus, offices or instrumentalities of the government, including the Philippine Charity Sweepstakes Office and the Philippine Amusement and Gaming Corporation in pursuit of its purposes and objectives.

**SEC. 11. Annual Report.** – The Philippine ENT Center shall submit an annual report to the President of the Philippines, Senate Committee on Health and Demography and the House Committee on Health, on its activities, accomplishments and recommendations to better improve their delivery of specialized medical services.

**SEC. 12. Implementing Rules and Regulations.** – The Secretary of Health shall, in coordination with the Secretary of Budget and Management, promulgate such rules and regulations necessary for the effective implementation of this Act.

**SEC. 13. Appropriations.** – The amount of three hundred million pesos (P300,000,000.00) is hereby appropriated for the initial operation and maintenance of the Philippine ENT Center. Thereafter, such sum as may be necessary for the continued operation of the Philippine ENT Center shall be included in the annual General Appropriations Act.

**SEC. 14. Repealing Clause.** – All laws, decrees, executive orders, rules and regulations or parts thereof which are in conflict with the provisions of this Act are hereby repealed or modified accordingly.

**SEC. 15. Effectivity.** – This Act shall take effect thirty (30) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,