



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

'16 DEC 14 A11 :23

SENATE

RECEIVED BY:

S. B. NO. 1282

Introduced by SENATOR JOEL VILLANUEVA

**AN ACT
ESTABLISHING A SPECIAL HOSPITAL FOR OVERSEAS FILIPINO WORKERS
(OFWS) AND THEIR DEPENDENTS TO BE KNOWN AS BAGONG BAYANING
FILIPINO HOSPITAL, APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES**

EXPLANATORY NOTE

The nation recognizes the importance of overseas Filipino workers, our *bagong bayani*. Migrant workers help improve the lives not only of their recipient families but also the national economy. Their personal remittances strengthened the account position of the country, enlarged the middle class and spawned micro-enterprises in the countryside.

Overseas workers who worked abroad at anytime during the period April 1 to September 30, 2015 was estimated at 2.4 million according to the 2015 Survey on Overseas Filipinos (SOF). The total cash remittances sent by OFWs during this period was estimated at 180.3 billion pesos. In spite of the growing number of migrant workers and the steady stream of remittance flows, social services, especially health care, remain out of reach for them and their dependents.

Other than the expansion of skills training and education benefits and on-site services, the government should also expand its medical assistance program for OFWs who are at risk of diseases and dreaded illnesses while on their job abroad. In fact, four out of ten repatriated OFWs need medical attention or hospital confinement. Many of them suffer from heart disease, stroke, pneumonia, cancer, kidney ailments and other illnesses requiring medical procedures and preventive and longtime care. Regrettably, the existing package of services under the Medical Care Program for OFWs and their dependents is limited to curative medical services.

In this regard, this bill seeks to establish a special hospital for overseas Filipino workers (OFWS) to be known as the Bagong Bayaning Filipino Hospital, to offer preventive, promotive, diagnostic, and rehabilitative programs that will complement the existing medical care program for OFWs and their dependents. Furthermore, this bill aims to establish OFW wards in regional hospitals as the facility for the hospitalization and medical care of OFWs and their dependents residing outside the National Capital Region.

As *bagong bayani*, our OFWs deserve more benefits, especially, access to a complete and quality health care. The State policy to provide social services and adequate health care to OFWs rightly justifies a stronger thrust towards the establishment of a Bagong Bayaning Filipino Hospital in the country.

The passage of this bill is earnestly requested.



SENATOR JOEL VILLANUEVA



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

1 **SECTION 1. Short Title.** This Act shall be known as the "***Bagong Bayaning***
2 ***Filipino Hospital Act.***"
3
4

5 **SEC. 2. Declaration of Policy.** It is hereby the policy of the state to adopt an
6 integrated and comprehensive approach to health development which shall
7 endeavor to make essential goods, health and other social services available to all
8 the people at affordable cost. Hence, the state shall protect the right to health and
9 promote and enhance the welfare and well-being of overseas Filipino workers and
10 their dependents through the provision of personal health care and social welfare
11 services.
12
13

14 **SEC. 3. Definition of Terms.** – As used in this Act, the following terms shall be
15 defined to mean as:
16

- 17 a. "***Overseas Filipino Worker***" shall refer to a person who is to be engaged, is
18 engaged, or has been engaged in a remunerated activity in a state of which
19 he or she is not a legal resident. A person "to be engaged in a remunerated
20 activity" refers to an applicant worker who has been promised or assured
21 employment overseas and acting on such promise or assurance sustains
22 damage and/or injury.
23

- 1 b. "**Dependents**" shall refer to the following: (1) the legal spouse entitled by law
2 to receive support from the overseas Filipino worker; (2) the legitimate,
3 legitimated, or legally adopted, and illegitimate child who is unmarried, not
4 gainfully employed, and has not reached twenty-one (21) years of age, or if
5 over twenty-one (21) years of age, he is congenitally incapacitated or while
6 still a minor has been permanently incapacitated and incapable of self-
7 support, physically or mentally; and (3) the parents who are receiving regular
8 support from the overseas Filipino worker.
9

10
11 **SEC. 4. Creation of Special Hospital for Overseas Filipino Workers and their**
12 **Dependents.** - To carry out the above policy, there is hereby created a special
13 hospital for overseas Filipino workers to be known as Bagong Bayaning Filipino
14 Hospital in the National Capital Region, which shall be the primary medical facility for
15 the hospitalization, confinement, medical treatment and medical care of overseas
16 Filipino workers and their dependents. The said hospital shall be under the
17 supervision and control of the Overseas Workers Welfare Administration (OWWA).
18

19 Furthermore, each regional hospital shall establish an overseas Filipino workers'
20 Ward as the facility for the hospitalization and medical care of overseas Filipino
21 workers and their dependents residing outside the National Capital Region, with an
22 initial capacity of at least fifty (50) beds.
23

24 The hospitalization, confinement, medical treatment and medical care of overseas
25 Filipino workers and their dependents at the Overseas Filipino Workers' Hospital and
26 wards shall be free of whatever charges.
27
28

29 **SEC. 5. Objective.** To ensure the availability, accessibility and affordability of
30 quality health care, the Bagong Bayaning Filipino Hospital shall:
31

- 32 a. Provide for a comprehensive health care services to all overseas Filipino
33 workers who are Overseas Workers Welfare Administration (OWWA)
34 contributors, including their dependents;
35
36 b. Complement the existing package of medical and health care services and
37 benefits to OFWs so as to include preventive, promotive, diagnostic, curative
38 and rehabilitative programs;
39
40 c. Conduct medical examination procedures to ensure the physical, emotional
41 and mental fitness of all workers duly covered by an approved job order
42 abroad; and
43
44 d. Set-up a system that will effectively monitor the condition of patients and to
45 generate relevant information and data in aid of policy formulation.
46
47
48
49
50

1 **SEC. 6. Administration and Composition of Board Members.**
2

3 a. Upon the effectivity of this Act, the powers and the administration of the
4 Bagong Bayaning Filipino Hospital shall be vested in a Board, which is
5 composed of the following members:
6

- 7 1. The Secretary of the Department of Labor and Employment as *ex-*
8 *officio* Chairperson;
9
- 10 2. The Secretary of the Department of Health as *ex-officio* Vice-
11 Chairperson;
12
- 13 3. The Administrator of the Overseas Workers Welfare Administration as
14 *ex-officio* Member;
15
- 16 4. The Administrator of the Philippine Overseas Employment
17 Administration as *ex-officio* Member;
18
- 19 5. The Administrator of the Philippine General Hospital (PGH) as *ex-*
20 *officio* Member;
21
- 22 6. The Secretary of the Department of Social Welfare and Development
23 as *ex-officio* Member;
24
- 25 7. Four (4) Representatives from the overseas Filipino workers sector:
26 one (1) from National Capital Region; one (1) from Luzon; one (1) from
27 Visayas; and one (1) from Mindanao as Members.
28

29 b. Appointment and Tenure – The President of the Republic of the Philippines
30 shall appoint the members of the Board from a list of nominees prepared by
31 the *ex-officio* Chairperson in consultation with the Party-List group
32 representing the aforesaid sector where the four (4) representatives are
33 former overseas Filipino workers for a term of three (3) years without
34 reappointment. Except for members whose terms shall be co-terminus with
35 their respective positions in government, any vacancy in the Board shall be
36 filled in the manner in which the original appointment was made and the
37 appointee shall serve only the unexpired term of his predecessor.
38

39 c. Meetings and Quorum – The Board shall hold regular meetings at least once
40 a month. Special meetings may be convened at the call of the Chairperson or
41 by a majority of the members of the Board. The presence of five (5) voting
42 members shall constitute a quorum. In the absence of the Chairman and Vice-
43 Chairman, a temporary presiding officer shall be designated by the majority of
44 the quorum.
45

46 d. Allowances and Per Diems – The members of the Board shall receive a *per*
47 *diem* for every meeting actually attended subject to the pertinent budgetary
48 laws, rules and regulations on compensation, honoraria and allowances.
49
50

1 **SEC. 7. Responsibilities and Powers.** The Board of Directors of the Bagong
2 Bayaning Filipino Hospital shall have the following responsibilities and powers:

- 3
4 a. To formulate and implement measures and programs to attain the Bagong
5 Bayaning Filipino Hospital's objectives and purposes as enumerated in
6 Section 4 of this Act;
7
8 b. To formulate and promulgate policies for the sound administration,
9 maintenance, and operations of the Hospital;
10
11 c. To organize the structure of the Hospital in accordance with a staffing pattern
12 prepared by it and approved by the Department of Budget and Management;
13
14 d. To appoint the officials, employees and other personnel of the Hospital,
15 subject to civil service laws, rules and regulations, and to prescribe their
16 duties and fix their compensation subject to the provisions of Republic Act No.
17 6758, otherwise known as the Salary Standardization Law;
18
19 e. To enter into agreements and contracts in connection with its establishment,
20 maintenance, operations and objectives;
21
22 f. To formulate and implement guidelines on the proper disposition of
23 contributions, donations, bequests, subsidies or financial aids/assistance
24 received by the Hospital;
25
26 g. To perform such other duties and functions as it may deem appropriate for the
27 attainment of the objectives of the Hospital and for the proper enforcement of
28 the provisions of this Act.
29
30

31 **SEC. 8. Implementing Rules and Regulations.** The Board shall adopt rules and
32 regulations to implement the provisions of this Act within sixty (60) days from the
33 date of its approval.
34
35

36 **SEC. 9. Appropriations.** In addition to the seed money held in trust by the
37 OWWA, there is hereby appropriated the sum of One Billion Pesos
38 (Php1,000,000,000.00) to fund the initial budgetary requirements of this Act.
39 Thereafter, its appropriation shall be included in the annual General Appropriations
40 Act (GAA).
41
42

43 **SEC. 10. Assistance from Government Offices, etc.** The Bagong Bayaning
44 Filipino Hospital may call upon any department, bureau, office, agency or
45 instrumentality of the Government, including government owned or controlled
46 corporations, for such assistance as it may need in the pursuit of its purposes and
47 objectives.

48 **SEC. 11. Exemption from Donor's Taxes, Customs and Tariff Duties.** - All
49 donations, contributions or endowments which may be made by persons or entities
50 to the hospital and the importation of medical equipment and machineries, spare

1 parts and other medical equipment not hereto mentioned used solely and exclusively
2 for the Bagong Bayaning Filipino Hospital shall be exempt from income gift, direct
3 and indirect taxes, wharfage fees and other charges and restrictions.
4
5

6 **SEC. 12. Annual Report.** - The Bagong Bayaning Filipino Hospital shall render to
7 the President of the Republic of the Philippines, to the Senate and to the House of
8 Representatives an annual accomplishment report.
9

10
11 **SEC. 13. Congressional Oversight Committee.** - A Congressional Oversight
12 Committee, herein after referred to as the "Committee", is hereby constituted in
13 accordance with the provisions of this Act. The Committee shall be composed of the
14 Chairman of the Senate Committee on Labor, Employment and Human Resources
15 Development and the Chairman of the House of Representatives Committee on
16 Overseas Workers Affairs and four (4) additional members from each House to be
17 designated by the President of the Senate and the Speaker of the House of
18 Representatives respectively.
19

20 The committee shall, among others, in aid of legislation:

- 21
22 a. Monitor and ensure the proper implementation of this Act;
23
24 b. Review the performance of the hospital; and
25
26 c. Review the proper implementation of the programs of the Hospital and the
27 use of its fund.
28

29 In furthermore of the herein above cited objectives, the Committee is empowered to
30 require the hospital to submit all pertinent information including but not limited to its
31 performance data and its annual audited financial statement certified by the
32 Commission on Audit.
33

34
35 **SEC. 14. Repealing Clause.** All laws, decrees, executive orders, rules and
36 regulations or part thereof deemed inconsistent with the provisions of this Act are
37 hereby repealed or modified accordingly.
38

39
40 **SEC. 15. Effectivity Clause.** This Act shall take effect fifteen (15) days from its
41 publication in the Official Gazette or in at least two (2) national newspapers of
42 general circulation.
43

44
45 Approved,