



Senate  
Office of the Secretary

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

'19 JUL -2 A11:36

RECEIVED BY: *J*

SENATE

S. B. NO. 149

---

Introduced by **SENATOR JOEL VILLANUEVA**

---

**AN ACT  
ESTABLISHING SPECIAL HEALTH FACILITIES 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**

According to the Philippine Statistics Authority, the total number of overseas Filipino workers who worked abroad at anytime from April 1 to September 30, 2018 is around 2.3 million.<sup>1</sup> During the same period, their total remittance amounted to Php235.9 Billion,<sup>2</sup> which translates to a significant contribution to our economy.

Filipino overseas workers are, indeed, the country's *bagong bayani*: they risk their life to work in other countries to send money to their families in the Philippines. Their remittances and contributions to our economy continue to be one of the drivers of the country's growth and progress.

However, our OFWs face new challenges when they arrive home from their work abroad. For instance, the NMC Hospital in Abu Dhabi found that there are as many as 1,000 Filipinos who are diagnosed with cancer from the United Arab Emirates.<sup>3</sup> The

---

<sup>1</sup> 2019, April 30. Total Number of OFWs Estimated at 2.3 Million (Results from the 2018 Survey on Overseas Filipinos) Retrieved from: <https://psa.gov.ph/statistics/survey/labor-and-employment/survey-overseas-filipinos> (date last accessed: June 25, 2019)

<sup>2</sup> Id.

<sup>3</sup> 2017, December 28. Around 1,000 OFWs diagnosed with cancer in UAE every year – doctors. Retrieved from: <https://www.rappler.com/nation/192112-uae-ofws-cancer-1000-every-year> (date last accessed: June 25, 2019)

Overseas Worker Welfare Association Davao found that OFWs are prone to suffer from hypertension, heart attack, breast, and ovarian cancers, which could either be diagnosed during their work abroad or upon their return back home.<sup>4</sup>

This bill seeks to give priority to the millions and millions of hardworking Filipino overseas workers and their dependents by establishing a hospital to be known as Bagong Bayaning Filipino Hospital. This bill also mandates the establishment of regional hospitals that will prioritize the needs of the PFWs and their dependents. This bill will also complement the Department of Labor and Employment's initiative in establishing a hospital for OFWs, which is set to open in 2020.<sup>5</sup>

The passage of this bill is earnestly requested.

  
SENATOR JOEL VILLANUEVA

---

<sup>4</sup> 2016, 21 November. OFWs medical assistance program to launch in January. Retrieved from: <https://www.sunstar.com.ph/article/111291> (date last accessed: June 25, 2019)


<sup>5</sup> 2019, May 1. OFW hospital to open in Pampanga. Retrieved from: <https://www.rappler.com/nation/229453-overseas-filipino-workers-hospital-to-open-pampanga>. (date last accessed: June 25, 2019)



Senate  
Office of the Secretary

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

\*19 JUL -2 A11 :36

RECEIVED BY: 

SENATE

S. B. NO. 149

---

Introduced by Senator JOEL VILLANUEVA

---

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

*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 Filipino  
2 Hospital Act.”  
3

4 **SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the State to adopt  
5 an integrated and comprehensive approach to health development which shall  
6 endeavor to make health, overall wellness and other important social services  
7 available to all the people at affordable cost. Toward this end, the State shall protect  
8 the right to health and promote and enhance the welfare and well-being of overseas  
9 Filipino workers and their dependents through the provision of personal health care  
10 and social welfare services.  
11

12 **SEC. 3. Definition of Terms.** – As used in this Act, the following terms shall have the  
13 following meaning:  
14

- 15 a) **Overseas Filipino Worker (OFW)** shall refer to a person who is to be engaged,  
16 is engaged, or has been engaged in a remunerated activity in a state of which  
17 he or she is not a legal resident. A person “to be engaged in a remunerated  
18 activity” refers to an applicant worker who has been promised or assured



employment overseas and acting on such promise or assurance sustains damage and/or injury.

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

c) **Health facility** shall refer to a facility that is devoted primarily to the provision of services for health promotion, prevention, diagnosis, treatment, rehabilitation, and palliation of individuals suffering from illness, disease, injury, disability or deformity, or are in need of obstetrical or other medical and nursing care, as well as the provision of mental health care services.

**SEC. 4. Creation of Special Health Facility for Overseas Filipino Workers and their Dependents.** – There is hereby created a special health facility for overseas Filipino workers to be known as Bagong Bayaning Filipino Hospital (the "Hospital") to be located in the National Capital Region or in any province as may be determined by the Department of Labor and Employment (DOLE) in consultation with the Department of Health (DOH) and other concerned government agencies and stakeholders.

The Hospital shall primarily cater to the physical, mental and over-all well-being of overseas Filipino workers and their dependents; *Provided*, That nothing herein shall prevent the Hospital from accommodating patients other than overseas Filipino workers and their dependents.

The Hospital shall be under the control and supervision of the DOH; *Provided*, That in the performance of its mandate as herein provided, the DOH shall closely coordinate with the DOLE and its attached agencies with regard the medical and mental needs of the overseas Filipino workers and their dependents.

**SEC. 5. Regional Hospitals.** – Within five (5) years from the effectivity of this Act, the DOH, in coordination with DOLE and other relevant agencies, shall establish regional hospitals in Luzon, Visayas and Mindanao to cater to the needs of overseas Filipino workers and their dependents who are located in these regions.

**SEC. 6. Prioritization and Additional Health Coverage of Overseas Filipino Workers and their Dependents.** – Each of the Hospitals to be established under this Act shall provide an express or priority lanes for overseas Filipino workers and their dependents senior citizens. They shall be given priority in the assignment of hospital beds, without prejudice to the rules on emergency cases as may be determined by the DOH and the Hospital Administrator.

Pursuant to the objectives of this Act, the Overseas Workers Welfare Administration (OWWA) shall broaden the existing medical assistance given to duly registered OWWA members and their dependents, and as far as practicable, endeavor to make

1 the hospitalization, confinement, medical treatment and medical care of duly  
2 registered OWWA members in the Hospital or any of its regional hospitals free of  
3 charge.

4  
5 **SEC. 7. Administration and Composition of Board Members.** – The day-to-day  
6 operations of the Hospital shall be overseen by an Administrator to be appointed by  
7 the Board.

8 The powers and the administration of the Hospital shall be vested in a Board.

9 a) *Composition* – The Board shall be composed of the following members:

- 10 1) The Secretary of the DOH as Chairperson;
- 11 2) The Secretary of the DOLE as Vice-Chairperson;
- 12 3) The Secretary of the Department of Social Welfare and Development as
- 13 member;
- 14 4) The Administrator of the OWWA as member;
- 15 5) The Administrator of the Philippine Overseas Employment Administration
- 16 as member;
- 17 6) The Administrator of the Philippine General Hospital (PGH) as member;
- 18 7) Four (4) Representatives from the overseas Filipino workers sector: one (1)
- 19 from National Capital Region; one (1) from Luzon; one (1) from Visayas;
- 20 and one (1) from Mindanao as members, all of whom shall be appointed by
- 21 the President of the Philippines from a list of nominees prepared by the
- 22 other members of the Board; and
- 23 8) The Administrator of the Bagong Bayaning Filipino Hospital as *ex officio*
- 24 member.

25 b) *Term* – The members of the Board shall have a term of three (3) years without  
26 reappointment. Except for members whose terms shall be co-terminus with their  
27 respective positions in government, any vacancy in the Board shall be filled in  
28 the manner in which the original appointment was made and the appointee shall  
29 serve only the unexpired term of his predecessor.

30 c) *Meetings and Quorum* – The Board shall hold regular meetings at least once a  
31 month. Special meetings may be convened at the call of the Chairperson or by a  
32 majority of the members of the Board. The presence of six (6) voting members  
33 shall constitute a quorum. In the absence of the Chairman and Vice-Chairman,  
34 a temporary presiding officer shall be designated by the majority of the members  
35 present during such meeting.

36 d) *Allowances and Per Diems* – The members of the Board shall receive a  
37 reasonable *per diem* for every meeting actually attended subject to the pertinent  
38



1 budgetary laws, rules and regulations on compensation, honoraria and  
2 allowances.

3  
4 **SEC. 8. Responsibilities and Powers.** – The Board of Directors of the Hospital shall  
5 have the following responsibilities and powers:

- 6  
7 a. To formulate and implement measures and programs to attain the objectives  
8 and purposes of the Hospital, with due regard to giving utmost priority and  
9 providing the best quality of service to overseas Filipino workers and their  
10 dependents;  
11  
12 b. To formulate and promulgate policies for the sound administration,  
13 maintenance, and operations of the Hospital;  
14  
15 c. To determine the staffing pattern of the Hospital, subject to the approval by the  
16 Department of Budget and Management;  
17  
18 d. To appoint the officials, employees and other personnel of the Hospital and the  
19 regional hospitals, subject to civil service laws, rules and regulations, and to  
20 prescribe their duties and fix their compensation subject to the provisions of  
21 Republic Act No. 6758, otherwise known as the Salary Standardization Law;  
22  
23 e. To enter into agreements and contracts in connection with its establishment,  
24 maintenance and operations of the Hospital;  
25  
26 f. To formulate and implement guidelines on the proper disposition of  
27 contributions, donations, bequests, subsidies or financial aids/assistance  
28 received by the Hospital; and  
29  
30 g. To perform such other duties and functions as it may deem appropriate for the  
31 attainment of the objectives of the Hospital.  
32

33 **SEC. 9. Referral System.** – The DOLE and OWWA shall establish a referral system  
34 with the Hospitals and its regional hospitals to ensure proper delivery of services to  
35 qualified overseas Filipino workers and their dependents.  
36

37 **SEC. 10. Pre-employment Medical Examinations for OFWs.** – The DOH and the  
38 POEA, shall, as far as practicable, develop a system to allow and facilitate the conduct  
39 of all pre-employment medical examinations of departing OFWs in the Hospital and its  
40 regional hospitals.  
41

42 **SEC. 11. Implementing Rules and Regulations.** – Within sixty (60) days from the  
43 effectivity of this Act, DOH and DOLE, in consultation with relevant government  
44 agencies and stakeholders, shall promulgate the rules and regulations for the proper  
45 implementation of this Act.  
46

47 **SEC. 12. Appropriations.** – A sum of One Billion Pesos (Php1,000,000,000.00) is  
48 hereby appropriated to fund the initial budgetary requirements of this Act. Thereafter,  
49 the budget for the Hospital and its regional hospitals shall be included in the annual  
50 General Appropriations Act (GAA).

1 **SEC. 13. Exemption from Donor's Taxes, Customs and Tariff Duties.** – All  
2 donations, contributions or endowments which may be made by persons or entities to  
3 the Hospital and its regional hospitals and for the proper implementation of this Act  
4 shall be exempted from donor's tax. The importation of medical equipment and  
5 machineries, spare parts and other medical equipment for the exclusive use of the  
6 Bagong Bayaning Filipino Hospital shall be exempted from payment of customs duties,  
7 other direct and indirect taxes, wharfage fees and other charges and restrictions.  
8

9 **SEC. 14. Annual Report.** – The Hospital shall submit an annual report to the  
10 President and to the Congress on or before April 30 of each year.  
11

12 **SEC. 15. Congressional Oversight Committee.** – A Congressional Oversight  
13 Committee (Committee) is hereby constituted in accordance with the provisions of this  
14 Act. The Committee shall be composed of the Chairman of the Senate Committee on  
15 Labor, Employment and Human Resources Development and the Chairman of the  
16 House of Representatives Committee on Overseas Workers Affairs, who shall jointly  
17 chair the Committee, and three members each from each house, to be designated by  
18 the President of the Senate and the Speaker of the House of Representatives,  
19 respectively.  
20

21 The Committee shall monitor and ensure the proper implementation of this Act, review  
22 the performance of the Bagong Bayaning Filipino Hospital and its regional hospitals,  
23 review the proper implementation of the programs of the hospital, as well as the  
24 utilization of its funds, and require the submission of reports and other documents as  
25 it deem proper in connection with its oversight functions as herein provided.  
26

27 **SEC. 16. Repealing Clause.** – All laws, decrees, executive orders, rules and  
28 regulations or part thereof deemed inconsistent with the provisions of this Act are  
29 hereby repealed or modified accordingly.  
30

31 **SEC. 17. Effectivity Clause.** – This Act shall take effect fifteen (15) days from its  
32 publication in the Official Gazette or in at least two (2) national newspapers of general  
33 circulation.  
34

35  
36 Approved,