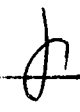


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



20 APR 16 A8:44

SENATE
S. No. 1420

RECEIVED BY: 

Introduced by SENATOR RAMON BONG REVILLA, JR.

AN ACT
MANDATING THE APPOINTMENT OF BARANGAY HEALTH WORKERS IN
BARANGAYS, AND PROVIDING FOR THEIR DUTIES AND
RESPONSIBILITIES, COMPENSATION AND BENEFITS, AND FOR OTHER
PURPOSES

EXPLANATORY NOTE

Article II, Section 15 of the 1987 Constitution ensures that "The State shall protect and promote the right to health of the people and instill health consciousness among them".

At the forefront of this Constitutional mandate are those who are at the very nucleus of our society – the Barangay Health Workers (BHWs). They are the ones who are strongly connected and deeply enrooted in the health concerns of their communities. They are the ones who are most familiar, to most extent to a personal level, to the health and medical history and needs of their constituents. Given their first hand and experiential knowledge, they are very instrumental in providing health care to the members of their locality.

According to the Philippine Statistical Authority, there are 235,653 active BHWs in the entire country as of 2015. As frontliners in the Primary Health Care Approach, BHWs are entrusted with tasks that are very crucial to the health and well-being of their respective barangays. Their work ranges from administering first

aid and community-based immunizations; maternal, neonatal and child care; and family planning and nutrition, among others.

In recognition of the contribution of BHWs in our health system, Republic Act No. 7883, otherwise known as "The Barangay Health Workers' Benefits and Incentives Act of 1995" granted benefits and incentives to accredited BHWs for their voluntary service to the community. The law provides for special civil service eligibility to BHWs, under certain conditions, which can qualify them for permanent positions in the government. However, the position of a BHW remains to be in voluntary basis. They merely receive allowances and do not enjoy security of tenure. There is, therefore, a remarkable irony between the significant role that they play and the value that is given to them by the government.

Despite this inequity, BHWs continue to perform their duties with immeasurable dedication and commitment. As a matter of fact, the role that they play in our efforts to fight COVID-19 cannot be underestimated. They are at the first crack of addressing this health concern, defying fears for their own health and life. Given their selfless service during this time of the pandemic, some local governments already made initiatives to recognize their efforts. The City of Taguig, for instance, which has the most number of BHWs in Metro Manila, has already promoted them from volunteers to job order personnel effective April 1, 2020 and implemented an increase in their regular salary.

Inevitably, our country will continue to face challenges in health and nutrition. The scope and gravity is beyond our foresight but one fact remains certain – our health system is devolved to local government units and we will definitely be relying on the services of the BHWs in addressing them. It is, therefore, important that we empower and capacitate our BHWs to make them more competent and effective in performing the duties that we have entrusted to them.

This proposed measure seeks to mandate the appointment of Barangay Health Workers in every barangay by the city or municipal government. BHWs shall

enjoy security of tenure with entry pay level of Salary Grade 1. It also grants them the same benefits as those under RA 7883 but with additional standards, benefits and allowances similar to those enjoyed by Public Health Workers provided under Republic Act No. 7305 otherwise known as the "Magna Carta for Public Health Workers".

We remain steadfast in our endeavour to protect our people from health threats and to build a healthy and productive citizenry. BHWs are instrumental in these efforts. For these reasons and more, the immediate passage of this bill is urgently sought.



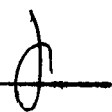
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Be it enacted by the Senate and House of Representative of the Philippines in Congress assembled:

1 Section 1. *Short Title.* - This Act shall be known as the "*Barangay Health*
2 *Workers Act of 2020*".

3 Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to
4 protect and promote the right to health of the people by providing the conditions of
5 health empowerment, where each individual has adequate access to information and
6 services that will bring about health and well-being, and by delivering effective
7 health care programs and services based on the needs of the communities.

8 Towards this end, the State recognizes that the Primary Health Care Approach
9 is an effective strategy towards realizing health empowerment and effective health
10 care programs and services through community-based participatory strategies.

11 The State recognizes, moreover, the indispensable role of Barangay Health
12 Workers as the frontliners in the Primary Health Care Approach; and the importance
13 of strengthening and systematizing their services, and of providing them just
14 compensation, consistent with the principle of equal pay for equal work and work of
15 equal value.

16 Sec. 3. *Definition of Terms.* – As used in this Act:

1 (a) "*Barangay Health Worker (BHW)*" shall refer to a person who is
2 appointed to act as a health worker in a barangay unit in accordance
3 with Section 4 hereof;

4 (b) "*Magna Carta for Public Health Workers*" shall refer to Republic Act No.
5 7305; and,

6 (c) "*Public Health Worker (PHW)*" shall be as defined under Section 3 of
7 the Magna Carta for Public Health Workers as referring to all persons
8 who are engaged in health and health-related work, all persons
9 employed in all hospitals, sanitarium, health infirmaries, health centers,
10 rural health units, barangay health stations, clinics, and other health-
11 related establishments owned and operated by the Government or its
12 political subdivisions with original charters and shall include medical,
13 allied health professional, administrative and support personnel
14 employed regardless of their employment status.

15 Sec. 4. *Appointment and Qualifications.* – There shall be appointed in each
16 barangay such number of BHWs as the Department of Health (DOH) shall determine
17 and recommend in consideration of the number of households in a barangay:
18 *Provided,* That the total number of BHWs per barangay shall not be less than three
19 (3), nor more than one percent (1%) of the barangay's total population.

20 The city or municipal mayor, as the case may be, shall appoint the BHWs in
21 all barangays in the city or municipality on the strength of their accreditation by the
22 local health board: *Provided,* That the local health board shall only issue
23 accreditation to the following:

24 (a) A person who has completed the BHW training program of the DOH, or
25 the Technical Education and Skills Development Authority (TESDA), or
26 undergone a training specific for BHW by a TESDA-accredited or DOH-
27 accredited institution, and has passed the BHW training assessment,
28 and obtained the equivalent certification;

29 (b) All active barangay health workers at the time of the effectivity of this
30 Act, regardless of accreditation or training status, who have previously
31 served for at least one (1) year: *Provided,* That they undergo and pass

1 the BHW assessment by DOH/TESDA-accredited assessors, and
2 obtained the equivalent certification.

3 All active and existing barangay health workers accredited by the local health
4 board under Republic Act No. 7883 shall be given preference in the appointment of
5 BHWs pursuant to this Act.

6 **Sec. 5. *Duties and Responsibilities.*** – The BHWs shall perform in their
7 respective barangays the following duties and responsibilities:

8 (a) Those which the DOH, or the city, municipality or barangay
9 *Sanggunian* shall provide by ordinance, subject to the guidelines to be
10 promulgated jointly by the DOH and the Department of Interior and
11 Local Government (DILG), in connection with the delivery of basic and
12 primary health care services, the implementation of family planning,
13 feeding and nutrition, and immunization programs, disaster response
14 and mitigation, sanitation programs, and anti-drug abuse rehabilitation
15 and information campaigns, and the establishment of national or local
16 health management information systems;

17 (b) Provide assistance to physicians, dentists, nurses, nutritionists, or
18 midwives who are employed, stationed, or are otherwise providing
19 services at the barangay health center, daycare center or birthing
20 center;

21 (c) Administer first aids, and respond in natural calamities and disaster;
22 and,

23 (d) Gather data about the health profile of the barangay, incidence of
24 communicable or chronic diseases, environmental or health hazards in
25 the barangay, and other public health-relevant event or information,
26 and report the same to the local health board.

27 **Sec. 6. *Compensation and Benefits.*** – The entry pay level of a BHW shall be
28 the prevailing rate equivalent to Salary Grade One (SG 1).

29 BHWs shall also be entitled to the following standards, incentives, and
30 benefits provided for Public Health Workers under the Magna Carta for Public Health
31 Workers:

32 (a) Normal hours of work;

- 1 (b) Overtime pay for overtime work;
- 2 (c) Rest day;
- 3 (d) Nightshift differential pay;
- 4 (e) Hazard allowance;
- 5 (f) Subsistence allowance;
- 6 (g) Longevity pay;
- 7 (h) Free medical examination;
- 8 (i) Compensation for injuries;
- 9 (j) Leave benefits;
- 10 (k) Retirement pay; and,
- 11 (l) Right to self-organization.

12 Further, BHWs shall be covered by the existing statutory benefits such as
13 GSIS, PhilHealth, and Pag-Ibig, and be entitled to the following additional benefits:

14 (a) Training, Education and Career Enrichment Programs. – The DOH, in
15 coordination with the DILG, other government departments, agencies
16 and non-government organizations, shall provide opportunities for the
17 following:

18 (1) Educational programs which shall recognize years of primary
19 health care service as credits to higher education in institutions
20 with stepladder curricula that will entitle BHWs to upgrade their
21 skills and knowledge for community work or to pursue further
22 training as midwives, pharmacists, nurses or doctors;

23 (2) Continuing education, study and exposure tours, training,
24 grants, field immersion, scholarship, etc.; and,

25 (3) Special training programs such as those on traditional medicine,
26 disaster response and preparedness, and other programs that
27 address emergent community health problems and issues,

28 (b) Free Legal Services. – Legal representation and consultation services
29 for barangay health workers shall be immediately provided by the
30 Public Attorneys Office in cases of coercion, interference, and in other
31 civil and criminal cases filed by or against barangay health workers

1 arising out of or in connection with the performance of their duties as
2 such.

3 (c) Preferential Access to Loans. – The DOH in coordination with other
4 concerned government agencies shall provide a mechanism for access
5 to loan services by organized barangay health workers. The agencies
6 providing loan services will set aside one percent (1%) of their
7 loanable funds for organized barangay health worker groups that have
8 community-based income generating projects in support of health
9 programs or activities.

10 Sec. 7. *Security of Tenure.* – All duly appointed BHWs shall not be terminated
11 except for cause provided under existing civil service rules and regulations, and only
12 after notice and hearing: *Provided*, That if a BHW is found by the Civil Service
13 Commission to be unjustly dismissed from work, he/she shall be entitled to
14 reinstatement without loss of seniority rights and to his/her back wages with twelve
15 percent (12%) interest computed from the time his/her compensation was withheld
16 from him/her up to the time of reinstatement.

17 Sec. 8. *Implementing Agencies.* – Within one (1) year from the effectivity of
18 this Act, the DOH, DILG, TESDA, and local government units shall immediately
19 appropriate funds necessary for the full implementation of this Act.

20 Within the same period, the DOH, DILG and TESDA shall formulate, launch
21 and institutionalize the BHW training program, assessment, and national certification
22 program.

23 Sec. 9. *Implementing Rules and Regulations.* – Within six (6) months from
24 the effectivity of this Act, the DOH, DILG, in consultation with the local government
25 units, and existing health workers union and barangay health workers organizations,
26 shall promulgate the implementing rules and regulations to carry out the provisions
27 of this Act.

28 Sec. 10. *Repealing Clause.* – Republic Act No. 7883, otherwise known as the
29 "Barangay Health Workers Benefits and Incentives Act of 1995", is hereby repealed.
30 All other laws, decrees, orders, circulars, issuances, rules and regulations or parts
31 thereof which are inconsistent with this Act are hereby repealed, amended or
32 modified accordingly.

1 Sec. 11. *Separability Clause.* – If any provision or part hereof is held invalid
2 or unconstitutional, the remainder of the law or the provision or part not otherwise
3 affected shall remain valid and subsisting.

4 Sec. 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its
5 publication in the *Official Gazette* or in a newspaper of general circulation.

6

7 *Approved,*