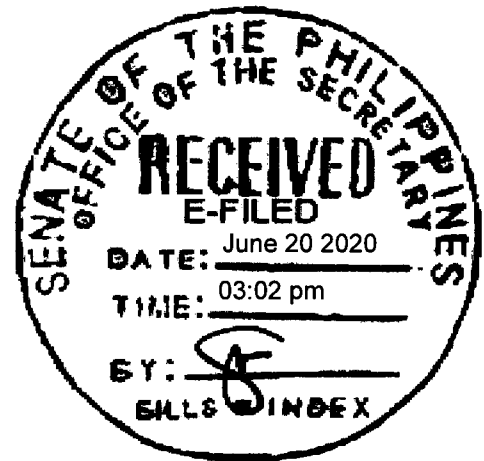


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

SENATE
S. No. 1578



Introduced by Senator Ronald "Bato" Dela Rosa

AN ACT
AMENDING REPUBLIC ACT NO. 7305 OTHERWISE KNOWN AS THE MAGNA
CARTA FOR PUBLIC HEALTH WORKERS AND FOR OTHER PURPOSES

EXPLANATORY NOTE

As of December 2019, only 14.28% of registered health professionals are employed or otherwise engaged to provide their services in public health facilities. Majority of our health professionals are overseas or in other cases, not practicing their profession due to lack of permanent positions in private and public sector.

The emigration of Filipino health professionals continues because of competitive job opportunities and higher compensation benefits offered by foreign employers. Unfortunately, those who choose to remain in the country have no alternative but to accept the low compensation, poor benefits, and difficult working conditions in the country.

The COVID-19 pandemic reveals our shortage of health workers willing and able to work in the public sector. Amidst our battle against the recent pandemic, the national government implemented a temporary ban on deployment of health workers abroad until the national emergency is lifted. The obvious reason for such policy was to ensure and sustain the supply of health workers while we grapple with the COVID19 pandemic. The Philippine Medical Association supports the temporary ban to guarantee that there will be available doctors to take place those who fall sick.

However, due to public outcry, some health workers who secured their employment contract prior to the public health emergency declaration were allowed to leave the country.

The deployment ban made us realize the obvious – health workers are essential to our health care system. However, given the current employment conditions they are enduring, we should reflect and ask, do we value our health workers enough? The enactment of Universal Health Care Act (Republic Act No. 11223) aims to ensure that all Filipinos are guaranteed equitable access to quality and affordable health care goods and services and protected against financial risk. Nonetheless, how can we guarantee quality health care if we lack essential health workers in our health facilities because of low compensation and minimal benefits?

The proposed legislation focuses on financial motivation strategies to address the inadequate supply of health workers in the country. To inspire our health professionals and as a sign of gratitude for their service to the public, the bill seeks to increase and add benefits under Republic Act No. 7305 otherwise known as the Magna Carta for Public Health Workers Act. The enactment of this measure will give the following additional compensation to public health workers as defined in the bill: across the board hazard pay, special risk allowance, rice subsidy allowance, increased subsistence allowance, special longevity pay, increased laundry clothing allowance and compensation for injuries.

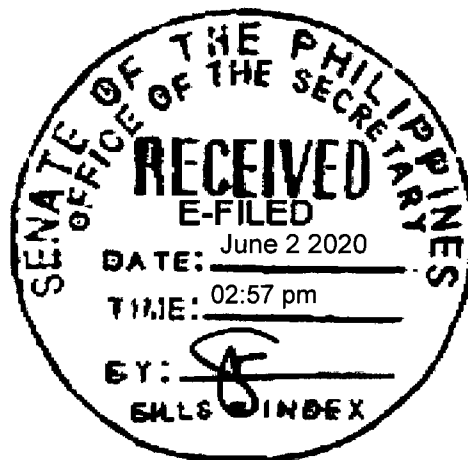
Let us give importance to our public health workers. Let them feel that we value them before, during, and after any public health emergency. For these reasons, I earnestly seek the immediate passage of this bill.


RONALD "BATO" DELA ROSA

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

SENATE

S. No. 1578



Introduced by Senator Ronald "Bato" Dela Rosa

AN ACT
AMENDING REPUBLIC ACT NO. 7305 OTHERWISE KNOWN AS THE MAGNA
CARTA FOR PUBLIC HEALTH WORKERS AND FOR OTHER PURPOSES

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

3
4 Sec. 1. Section 3 of Republic Act No. 7305, otherwise known as the "Magna
5 Carta for Public Health Workers" is hereby amended as follows:

6
7 ~~"Sec. 3. [Definition] **COVERAGE.** - [For purposes of this Act,~~
8 ~~"health workers" shall mean all persons who are engaged in~~
9 ~~health and health-related work, and all persons employed in all~~
10 ~~hospitals, sanitarium, health infirmaries, health centers, rural health~~
11 ~~units, barangay health stations, clinics and other health-related~~
12 ~~establishments owned and operated by the Government or its~~
13 ~~political subdivisions with original charters and shall include~~
14 ~~medical, allied health professional, administrative and support~~
15 ~~personnel employed regardless of their employment status."]"~~

16 **THIS ACT SHALL BE FOR THE BENEFIT OF HEALTH**
17 **WORKERS. FOR PURPOSES OF THIS ACT, "HEALTH**
18 **WORKERS" REFER TO PERSONS WHO ARE ENGAGED IN**
19 **HEALTH AND HEALTH-RELATED WORK IN A HEALTH**

1 **FACILITY OR OTHER RELATED ESTABLISHMENT, OWNED**
 2 **AND OPERATED BY THE GOVERNMENT OR ITS POLITICAL**
 3 **SUBDIVISIONS. IT SHALL INCLUDE MEDICAL, ALLIED**
 4 **HEALTH PROFESSIONAL, ADMINISTRATIVE AND**
 5 **SUPPORT PERSONNEL INCLUDING MAINTENANCE,**
 6 **JANITORIAL AND SECURITY PERSONNEL OF SUCH**
 7 **HEALTH FACILITY OR RELATED ESTABLISHMENT,**
 8 **REGARDLESS OF THEIR EMPLOYMENT STATUS."**
 9

10 Sec. 2. Section 19 of Republic Act No. 7305, otherwise known as the "Magna Carta for
 11 Public Health Workers" is hereby amended as follows:

12
 13 ~~"Sec. 19. Salaries. – [In the determination of the salary scale of~~
 14 ~~public health workers, the provisions of Republic Act No. 6758~~
 15 ~~shall govern, except that the benchmark for Rural Health~~
 16 ~~Physicians shall be upgraded to Grade 24.]~~ **THE DEPARTMENT**
 17 **OF HEALTH, IN CONSULTATION WITH THE DEPARTMENT**
 18 **OF BUDGET AND MANAGEMENT, IS HEREBY MANDATED**
 19 **TO ESTABLISH A NEW SALARY SCALE FOR PUBLIC**
 20 **HEALTH WORKERS FOLLOWING THE SALARY GRADE**
 21 **UNDER REPUBLIC ACT NO. 11466, OTHERWISE KNOWN**
 22 **AS THE "SALARY STANDARDIZATION LAW OF 2019":**
 23 **PROVIDED, THAT THE BENCHMARK FOR RURAL HEALTH**
 24 **PHYSICIANS SHALL BE SALARY GRADE 24 WHILE NURSE**
 25 **I SHALL BE SALARY GRADE 16.**

26
 27 **xxx."**

28
 29 Sec. 3. Section 20 of Republic Act No. 7305, otherwise known as the "Magna
 30 Carta for Public Health Workers" is hereby amended as follows:
 31

1 "Sec. 20. Additional Compensation. – Notwithstanding Section
2 12 of Republic Act No. 6758 and provisions of Republic Act No.
3 11466, public health workers shall receive the following
4 **ADDITIONAL** allowances: hazard allowance, **SPECIAL RISK**
5 **ALLOWANCE**, subsistence allowance, **RICE SUBSIDY**
6 **ALLOWANCE**, longevity pay, laundry **AND CLOTHING**
7 allowance, and remote assignment allowance."
8

9 Sec. 4. Section 21 of Republic Act No. 7305, otherwise known as the "Magna
10 Carta for Public Health Workers" is hereby amended as follows:
11

12 "~~Sec. 21. Hazard Allowance. – [Public health workers in hospitals,~~
13 ~~sanitaria, rural health units, main health centers, health~~
14 ~~infirmaries, barangay health stations, clinics and other~~
15 ~~healthrelated establishments located in difficult areas, strife-torn~~
16 ~~or embattled areas, distressed or isolated stations, prison camps,~~
17 ~~mental hospitals, radiation exposed clinics, laboratories or~~
18 ~~disease infested areas or in areas declared under state of calamity~~
19 ~~or emergency for the duration thereof which expose them to~~
20 ~~great danger, contagion, radiation, volcanic activity/eruption,~~
21 ~~occupational risk or perils to life as determined by the Secretary~~
22 ~~of Health, shall be compensated hazard allowances equivalent to~~
23 ~~at least twenty-five percent (25%) of the monthly basic salary of~~
24 ~~health workers receiving salary grade 19 and below, and five~~
25 ~~percent (5%) for health workers with salary grade 20 and above.]~~
26 **ALL PUBLIC HEALTH WORKERS PERFORMING HEALTH**
27 **AND HEALTH-RELATED WORK REGARDLESS OF WORK**
28 **LOCATION SHALL BE ENTITLED TO HAZARD ALLOWANCE**
29 **AMOUNTING TO FIVE THOUSAND PESOS (P5,000.00) PER**
30 **MONTH: PROVIDED, THAT THIS RATE SHALL BE**
31 **EXEMPTED FROM INCOME TAX: PROVIDED, FURTHER,**

1 **THAT RATE SHALL BE REVIEWED PERIODICALLY AND**
2 **INCREASED ACCORDINGLY BY THE SECRETARY OF**
3 **HEALTH IN CONSULTATION WITH THE APPROPRIATE**
4 **GOVERNMENT AGENCIES.”**

5
6 Sec. 5. A new Section 21-A shall be inserted after Section 21 of Republic Act No.
7 7305 which shall read as follows:

8
9 **“SEC. 21-A. RISK PROTECTION ALLOWANCE. – PUBLIC**
10 **HEALTH WORKERS, WHERE THE PERFORMANCE OF**
11 **THEIR DUTIES AND RESPONSIBILITIES AND LOCATION**
12 **OF WORK EXPOSE THEM TO GREAT DANGER,**
13 **OCCUPATIONAL RISKS, PERIL TO LIFE, AND PHYSICAL**
14 **HARDSHIPS, IN AREAS AND CIRCUMSTANCES AS**
15 **DETERMINED BY THE SECRETARY OF HEALTH, SHALL BE**
16 **ENTITLED TO RISK PROTECTION ALLOWANCE OF AT**
17 **LEAST TWENTY-FIVE PERCENT (25%) OF THE MONTHLY**
18 **BASIC SALARY.”**

19
20 Sec. 6. Section 22 of Republic Act No. 7305, otherwise known as the “Magna
21 Carta for Public Health Workers” is hereby amended as follows:

22
23 “Sec. 22. Subsistence Allowance. – Public health workers who
24 are required to render service within **OR NEAR** the premises of
25 ~~[hospitals, sanitarium, health infirmaries, main health centers, rural~~
26 ~~health units and barangay health stations, or clinics, and other~~
27 ~~health-related establishments]~~ **HEALTH FACILITIES AND**
28 **OTHER RELATED ESTABLISHMENTS** in order to make their
29 services available at any and all times, shall be entitled to full
30 subsistence allowance of three (3) meals which may be computed
31 in accordance with prevailing circumstances as determined by the
32 Secretary of Health in consultation with the Management-Health

1 Worker's Consultative Councils, as established under Section 33
2 of this Act: **PROVIDED, THAT SUBSISTENCE ALLOWANCE**
3 **SHALL BE COMPUTED NOT LOWER THAN SEVENTY FIVE**
4 **PESOS (Php75.00) PER MEAL:** Provided, **FURTHER,** That
5 representation and travel allowance shall be given to rural health
6 physicians as enjoyed by municipal agriculturists, municipal
7 planning and development officers and budget officers.”
8

9 Sec. 7. A new Section 22-A shall be inserted after Section 22 of Republic Act No.
10 7305 which shall read as follows:

11
12 **“SEC. 22-A. RICE SUBSIDY ALLOWANCE. – ALL PUBLIC**
13 **HEALTH WORKERS SHALL BE ENTITLED TO RICE**
14 **SUBSIDY ALLOWANCE IN THE FORM OF CASH**
15 **AMOUNTING TO ONE THOUSAND TWO HUNDRED FIFTY**
16 **PESOS (P1,250.00).**
17

18 Sec. 8. Section 23 of Republic Act No. 7305, otherwise known as the “Magna
19 Carta for Public Health Workers” is hereby amended as follows:

20 “Section 23. Longevity Pay. - A monthly longevity pay equivalent
21 to five percent (5%) of the monthly basic pay shall be paid to a
22 health worker for every five (5) years of continuous, efficient and
23 meritorious services rendered as certified by the chief of office
24 concerned, commencing with the service after the approval of
25 this Act.: **PROVIDED, THAT FOR EVERY TEN YEARS OF**
26 **SERVICE, THEY SHALL BE ENTITLED TO SPECIAL**
27 **LONGEVITY PAY AMOUNTING TO ONE (1) MONTH OF**
28 **BASIC SALARY.”**
29

1 Sec. 9. Section 24 of Republic Act No. 7305, otherwise known as the "Magna
2 Carta for Public Health Workers" is hereby amended as follows:

3
4 "Section 24. Laundry **AND CLOTHING** Allowance. - All public
5 health workers who are required to wear uniforms regularly shall
6 be entitled to laundry **AND CLOTHING** allowance equivalent to
7 [~~One hundred twenty five pesos (P125.00)~~] **FIVE HUNDRED**
8 **PESOS (P500.00)** per month: provided, that this rate shall be
9 reviewed periodically and increased accordingly by the Secretary
10 of Health in consultation with the appropriate government
11 agencies concerned taking into account existing laws and
12 prevailing practices."

13
14 Sec. 10. Section 28 of Republic Act No. 7305, otherwise known as the "Magna
15 Carta for Public Health Workers" is hereby amended as follows:

16 "Section 28. Compensation for Injuries. – Public health workers
17 shall be protected against the consequences of employment
18 injuries in accordance with existing law. Injuries incurred while
19 doing overtime work shall be presumed work-connected.

20 **NOTWITHSTANDING ANY LAW TO THE CONTRARY,**
21 **PUBLIC HEALTH WORKERS WHO MAY BE INJURED OR**
22 **CONTRACT ANY DISEASE WHILE IN THE PERFORMANCE**
23 **OF THEIR DUTIES SHALL BE ENTITLED TO AN AMOUNT**
24 **OF ONE HUNDRED THOUSAND PESOS (P100,000.00):**
25 **PROVIDED, THAT THE AMOUNT OF ONE MILLION PESOS**
26 **(P1,000,000.00) SHALL BE GIVEN TO PUBLIC HEALTH**
27 **WORKERS WHO MAY DIE WHILE IN THE PERFORMANCE**

1 **OF THEIR DUTY: PROVIDED, FURTHER, THAT**
2 **ENTITLEMENT TO COMPENSATION UNDER THIS**
3 **SECTION SHALL NOT PRECLUDE PUBLIC HEALTH**
4 **WORKERS TO CLAIM ANY OTHER BENEFITS FOR THE**
5 **SAME INJURY PROVIDED FOR BY OTHER LAWS."**

6
7 Sec. 11. Free Continuing Professional Development. – The Department of
8 Health shall provide free Continuing Professional Development training for public health
9 worker professionals who are required to undertake such program as a requirement
10 for the renewal of their professional identification cards under the regulation of
11 Professional Regulatory Commission as mandated by Republic Act No.
12 10912 or the "Continuing Professional Development Act of 2016".

13
14 Sec. 12. Implementing Rules and Regulations. – The Secretary of Health after
15 consultation with appropriate agencies of the Government as well as professional and
16 health workers' organizations or unions, shall formulate and prepare the revised
17 implementing rules and regulation of the Magna Carta for Public Health Workers in
18 accordance with this Act.

19
20 Sec. 13. Separability Clause. – If any portion or provision of this Act is declared
21 unconstitutional, the remainder of this Act or any provisions not affected thereby shall
22 remain in force and effect.

23
24 Sec. 14. Repealing Clause. - All other laws, decrees, executive orders and rules
25 and regulations contrary to or inconsistent with the provisions of this Act are hereby
26 repealed or modified accordingly.

27
28 Sec. 15. Effectivity - This Act shall take effect fifteen (15) days after its publication in
29 the Official Gazette or in one (1) newspaper of general circulation.

Approved,