

SENATE
S.B. No. 2299

'21 JUN 23 P5:06

Introduced by **SENATOR IMEE R. MARCOS**

AN ACT INTEGRATING THE SAMAR PROVINCIAL HOSPITAL, CALBAYOG DISTRICT HOSPITAL, GANDARA DISTRICT HOSPITAL, BASEY DISTRICT HOSPITAL AND TARANGNAN COMMUNITY HOSPITAL INTO A SINGLE HOSPITAL SYSTEM TO BE KNOWN AS OSPITAL HAN SAMAR UNDER THE SUPERVISION, CONTROL AND MANAGEMENT OF THE PROVINCIAL GOVERNMENT OF SAMAR, INCREASING ITS OVERALL BED CAPACITY TO EIGHT HUNDRED FIFTY (850), WITH OSPITAL NG SAMAR-CATBALOGAN AS TERTIARY LEVEL III, OSPITAL NG SAMAR-CALBAYOG AS LEVEL II, OSPITAL NG SAMARGANDARA, OSPITAL NG SAMAR-BASEY AS LEVEL I, AND OSPITAL NG SAMAR-TARANGNAN AS LEVEL I, UPGRADING ITS SERVICE FACILITIES AND PROFESSIONAL HEALTH CARE AUTHORIZING THE INCREASE OF ITS MEDICAL PERSONNEL AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Section 11 of 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 under-privileged, sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers.*"

Located in Eastern Visayas, Samar is the third-largest island in the Philippines, by area. It has a population of 1,880,020 according to the 2015 Philippine Population Census. Samar is among the provinces in the region that feature several public and private medical institutions. This number of hospitals and medical institutions, however, is not enough to service the entire population of Samar especially during this time of pandemic.

An integrated single Hospital System is a network of provincial government-owned healthcare facilities under one parent hospital aimed to enhance medical programs and services throughout the province and address the common problems of patients by offering quality services as well as reasonable medical costs to the public.

This bill seeks to integrate the Samar Provincial Hospital, Calbayog District Hospital, Gandara District Hospital, Basey District Hospital and Tarangnan Community Hospital into a single hospital system to be known as Ospital Han Samar, under the supervision, control and management of the provincial government of Samar increasing its overall bed capacity to eight hundred fifty (850) to continuously provide efficient health care and service facilities to more people, especially the less privileged.

This bill further seeks that the existing Samar Provincial Hospital in Catbalogan City shall serve as the primary facility of the Ospital Han Samar, while Calbayog District Hospital, Gandara District Hospital, Basey District Hospital and Tarangnan Community Hospital shall be converted into constituent facilities, to be referred to as Ospital Han Samar-Calbayog, Ospital Han Samar-Gandara, Ospital Han Samar-Basey, and Ospital Han Samar-Tarangnan, respectively.

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

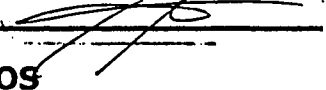

IMEE R. MARCOS

Office of the Secretary

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AN ACT INTEGRATING THE SAMAR PROVINCIAL HOSPITAL, CALBAYOG DISTRICT HOSPITAL, GANDARA DISTRICT HOSPITAL, BASEY DISTRICT HOSPITAL AND TARANGNAN COMMUNITY HOSPITAL INTO A SINGLE HOSPITAL SYSTEM TO BE KNOWN AS OSPITAL HAN SAMAR UNDER THE SUPERVISION, CONTROL AND MANAGEMENT OF THE PROVINCIAL GOVERNMENT OF SAMAR, INCREASING ITS OVERALL BED CAPACITY TO EIGHT HUNDRED FIFTY (850), WITH OSPITAL NG SAMAR-CATBALOGAN AS TERTIARY LEVEL III, OSPITAL NG SAMAR-CALBAYOG AS LEVEL II, OSPITAL NG SAMARGANDARA, OSPITAL NG SAMAR-BASEY AS LEVEL I, AND OSPITAL NG SAMAR-TARANGNAN AS LEVEL I, UPGRADING ITS SERVICE FACILITIES AND PROFESSIONAL HEALTH CARE AUTHORIZING THE INCREASE OF ITS MEDICAL PERSONNEL AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1. Short Title.** – This Act shall be known as the "*Ospital Han Samar*
2 *Act*".

3 **SEC. 2. Declaration of Policy.** – It is the declared policy of the State shall protect
4 and promote the right to health of the people and instill health consciousness among
5 them. Towards this end, the State shall give adequate, accessible and affordable
6 primary, secondary and tertiary health services to all the citizens.

7 **SEC. 3. Integration and Conversion.** – The Samar Provincial Hospital in the City
8 of Catbalogan, the Calbayog District Hospital in the City of Calbayog, the Gandara
9 District Hospital in the municipality of Gandara, Basey District Hospital in the
10 municipality of Basey and Tarangnan Community Hospital in the Municipality of
11 Tarangnan shall be integrated into a single hospital system to be known as the Ospital
12 Han Samar, under the full administrative and technical supervision, control and
13 management of the Provincial Government of Samar. An integrated single Hospital
14 System is a network of provincial government-owned healthcare facilities under one
15 parent hospital.

1 The existing Samar Provincial Hospital in Catbalogan City shall serve as the
2 primary facility of the Ospital Han Samar, while Calbayog District Hospital, Gandara
3 District Hospital, Basey District Hospital and Tarangnan Community Hospital shall be
4 converted into constituent facilities, to be referred to as Ospital Han Samar-Calbayog,
5 Ospital Han Samar-Gandara, Ospital Han Samar-Basey, and Ospital Han Samar-
6 Tarangnan, respectively. In addition to the hospital system-wide referral system and
7 rationalization of health services, each constituent facility shall provide basic hospital
8 services, diagnostic units and level service capability of Tertiary Level III for Ospital
9 Han Samar-Catbalogan, Level II for Ospital Han Samar-Calbayog, Level I for Ospital
10 Han Samar-Basey, Ospital Han Samar-Gandara and Ospital Han Samar-Tarangnan and
11 lastly, ensure compliance with hospital licensure regulations.

12 **SEC. 4. Objectives.** – To ensure the availability, accessibility and affordability of
13 quality health care services, the Ospital Han Samar shall have the following main
14 objectives:

- 15 (a) To integrate Samar Provincial Hospital in in the city of Catbalogan, city of
16 Calbayog, the Gandara District Hospital in the municipality of Gandara and
17 Basey District Hospital in the municipality of Basey and Tarangnan
18 Community Hospital in the municipality of Tarangnan into a single Hospital
19 System with the service capability of a level service capability of Tertiary
20 Level III for Ospital Han Samar-Catbalogan, Level II for Ospital Han
21 Samar-Calbayog, Level I for Ospital Han Samar-Basey, Ospital Han Samar-
22 Gandara and Ospital Han SamarTarangnan and lastly, ensure compliance
23 with hospital licensure regulations;
- 24 (b) To provide easy, affordable and timely access to tertiary health care for
25 the people of the province of Samar, especially the underprivileged, the
26 poor, disabled, women and children, and as resources would allow, free
27 medical care to indigent citizens;
- 28 (c) To provide teaching, training and research facilities for students in
29 medicine, nursing, therapy, x-ray technology and other allied health
30 profession in Samar Island and other neighboring provinces through the
31 Ospital Han Samar;
- 32 (d) To promote, encourage and engage in scientific research in the prevention
33 of diseases and the care and treatment of patients and related activities,
34 including the grant of scholarships and conduct of relevant congresses,
35 conventions, seminars and conferences; and
- 36 (e) To provide other medical services pursuant to the goals, objectives and
37 rules of the Universal Health Care Act.

38 **SEC. 5. Increase in Bed.** – The authorized overall bed capacity of the Ospital
39 Han Samar shall be increased to eight hundred fifty (850) beds divided into three

1 hundred (300) beds for Ospital Han Samar-Catbalogan, three hundred (300) beds for
2 Ospital Han Samar-Calbayog, one hundred (100) for Ospital Han Samar-Basey, one
3 hundred (100) beds for Ospital Han SamarGandara and fifty (60) beds for Ospital Han
4 Samar-Tarangnan. The increase in bed capacity shall be implemented for a period of
5 not more than five (5) years from the effectivity of this Act.

6 **SEC. 6. *Upgrading of Facilities and Services.*** – The existing service facilities and
7 professional health care services of the Ospital Han Samar are hereby upgraded and
8 increased to conform and commensurate with the increase in its bed capacity,
9 consistent with the requirements of modern medical services and its status as a level
10 service capability of Tertiary Level III for Ospital Han Samar-Catbalogan, Level II for
11 Ospital Han Samar-Calbayog, Level I for Ospital Han Samar-Basey, Ospital Han Samar-
12 Gandara and Ospital Han Samar-Tarangnan.

13 The Department of Health, in coordination with the Provincial Government of
14 Samar, shall support the integration, expansion and upgrading of the Ospital Han
15 Samar System as to funds, human resource, hospital infrastructure, equipment,
16 facilities and land acquisition towards the efficient delivery of the hospital healthcare
17 services. The following shall be the role of the two parties:

18 (a) The DOH through Local Investment Plan for Health (LIPH) shall be
19 responsible for the infrastructure, equipment, additional manpower,
20 technical assistance, facilitate trainings and documentary requirements
21 and licensing/accreditation according to the level of each hospital, in
22 adherence to responsibilities set forth in the Universal Health Care Act.

23 (b) The Provincial Government of Samar shall provide manpower with plantilla
24 positions adhering to DBM staffing pattern of government hospitals,
25 infrastructure, repair and maintenance, medical supplies and MOOE.

26 **SEC. 7. *Ospital Han Samar Board.*** – There shall be established the Ospital Han
27 Samar Board, the composition of which shall be as follows:

- 28 (a) Provincial Governor of Samar, as chairperson;
29 (b) Medical Director, Ospital Han Samar System, as vice chairperson;
30 (c) Chief of Hospital, Ospital Han Samar-Gandara;
31 (d) Chief of Hospital, Ospital Han Samar-Basey;
32 (e) Chief of Hospital, Ospital Han Samar-Calbayog;
33 (f) Chief of Hospital, Ospital Han Samar-Tarangnan;
34 (g) Chief of Hospital, Ospital Han Samar-Catbalogan City;
35 (h) Provincial Health Officer, Province of Samar;
36 (i) Member representing the Philippine Medical Association;
37 (j) Member representing the Philippine Nurses Association;
38 (k) Member representing non-government organizations involved in allied
39 health services;

- 1 (l) Member representing the private sector;
- 2 (m) Regional Director, Department of Health Center for Health Development
- 3 VIII (Eastern Visayas);
- 4 (n) Planning Director, Department of Health Center for Health Development
- 5 VIII (Eastern Visayas);
- 6 (o) Regional Vice President, Eastern Visayas, Philippine Health Insurance
- 7 Corporation; and
- 8 (p) Member representing health maintenance organizations (HMO) and
- 9 private medical insurance institutions.

10 The members of the Board, except ex officio members, shall be appointed by
11 the Provincial Governor.

12 **SEC. 8. Powers and Responsibilities of the Board.** – The Board of the Ospital Han
13 Samar shall have following powers and responsibilities:

- 14 (a) To formulate and implement measures and programs to attain the
- 15 objectives and purposes as enunciated in this Act;
- 16 (b) To determine and promulgate policies for the sound administration,
- 17 maintenance, and operations of the hospital system;
- 18 (c) To organize the structure of the Ospital Han Samar System in accordance
- 19 with the staffing pattern prepared by it in coordination with the
- 20 Department of Health (DOH) and Civil Service Commission (CSC), and
- 21 approved by the Department of Budget and Management (DBM);
- 22 (d) To appoint the officials, employees and other personnel of the hospital
- 23 system, subject to civil service laws, rules and regulations, and to
- 24 prescribe their duties and fix their compensation subject to the provisions
- 25 of Republic Act No. 6758, otherwise known as the Salary Standardization
- 26 Law;
- 27 (e) To enter into agreements and contracts in connection with its
- 28 establishment, maintenance and operations of the hospital system;
- 29 (f) To formulate and implement guidelines on the proper disposition of
- 30 contributions, donations, bequests, subsidies or financial aid / assistance
- 31 received by the hospital system;
- 32 (g) To issue rules and regulations to carry out the objectives and purposes of
- 33 this Act; and
- 34 (h) To perform such other duties and functions as may be provided by law.

35 **SEC. 9. Meetings and Quorum.** – The Board shall meet at least once a month or
36 as often as may be necessary. Special meetings may be convened at the call of the
37 Chairman or by a majority of the members of the Board.

1 A majority of the members of the Board shall constitute a quorum but the
2 chairman and the vice-chairman must be present during meetings where budgetary
3 proposals are prepared or considered. Members thereof who are not government
4 officials or employees shall be entitled to necessary traveling expenses and allowance
5 chargeable against the funds of the Ospital Han Samar, subject to accounting and
6 auditing rules and regulations.

7 **SEC. 10. *Referral System and Rationalization of Services.*** – The Board shall
8 institute a system for referral and rationalization of services within and outside the
9 constituent facilities of the hospital system to ensure the proper and seamless delivery
10 of quality health services and avoid the delay in the delivery of services. There shall
11 be a hospital network manual of operations to support the Act.

12 As a commitment to provide quality health services to all the constituents within
13 the jurisdiction of Samar, the Ospital Han Samar shall adhere to the Hospital Referral
14 System and Rationalization of Services. All patients shall be firstly managed in the
15 Barangay Health Stations (BHS) or Rural/City Health Units (RHU). If the needed
16 services are not available at the BHS or RHU the patient shall be properly referred to
17 the nearest Ospital Han Samar utilizing the hospital network manual of operations.
18 The receiving hospital shall assure that the needed medical services are available, if
19 not, the referral shall be redirected to the tertiary-level Ospital Han Samar in the City
20 of Catbalogan.

21 **SEC. 11. *Medical Director.*** – The Ospital Han Samar shall be headed by a Medical
22 Director who is a licensed physician and with experience in hospital administration and
23 management for at least five (5) years. The Medical Director shall be appointed by
24 the Provincial Governor.

25 **SEC. 12. *Powers and Responsibilities of the Medical Director.*** – The Medical
26 Director shall serve as the chief executive officer responsible for the following powers
27 and responsibilities:

- 28 (a) Direct and supervise overall administration, management and operations
29 of the Ospital Han Samar;
- 30 (b) Execute the policies, guidelines and programs approved by the Board;
- 31 (c) Submit for the consideration and approval of the Board, proposed
32 measures, policies, guidelines and programs as may be deemed necessary
33 or proper for the effective implementation of the purposes of this Act;
- 34 (d) Delegate specific administrative responsibilities and duties to the Chiefs of
35 Hospitals of the constituent facilities, or to other officers of the hospital
36 system;

- 1 (e) Represent the hospital system in all dealings with other offices, agencies,
2 and instrumentalities of the government, and all other persons or entities,
3 domestic or foreign, and whether public or private;
- 4 (f) Ensure the provision of high-quality healthcare and high standards of
5 clinical training for medical and allied medical personnel; and
- 6 (g) Performance of such other duties and functions as may be assigned by
7 the Board or as provided law.

8 In order to facilitate the transition towards the creation of the Ospital Han Samar,
9 the incumbent Chief of Hospital of Samar Provincial Hospital, if qualified, shall assume
10 the position of Medical Director, until such time a duly qualified successor has been
11 appointed.

12 **SEC. 13. *Chief of Hospitals of Constituent Facilities.*** – The day-today operations
13 of the constituent facilities in Calbayog, Gandara, Basey and Tarangnan shall be
14 overseen by a Chief of Hospital to be appointed by the Provincial Governor of Samar.
15 The Chief of Hospital must be a licensed medical doctor by profession with at least
16 three years of experience in hospital administration.

17 **SEC. 14. *Transfer of Assets and Liabilities.*** – Facilities, land and buildings,
18 equipment and human resources, including, but not limited to, its documents, medical
19 and nonmedical records, other assets, liabilities and obligations of the existing Samar
20 Provincial Hospital, Calbayog District Hospital, Gandara District Hospital, Basey District
21 Hospital and Tarangnan Community Hospital shall remain with each respective
22 hospital.

23 **SEC. 15. *Security of Tenure.*** – The position, seniority, security and other rights
24 of tenure of all medical and non-medical personnel of the Samar Provincial Hospital,
25 Calbayog District Hospital, Gandara District Hospital, Basey District Hospital and
26 Tarangnan Community Hospital shall continue to be honored under this Act.

27 **SEC. 16. *Assistance from Other Government Offices.*** – All individuals, entities
28 and institutions are hereby enjoined to render full assistance and cooperation to the
29 Ospital Han Samar as it may need in the pursuit of purposes and objectives.

30 **SEC. 17. *Role of Philippine Health Insurance Corporation (PHIC).*** – The
31 Philippine Health Insurance Corporation will take the lead in ensuring financial
32 sustainability of the Ospital Han Samar. Its role is to ensure all services of the hospital
33 must be reimbursed in a reasonable period of time.

34 **SEC. 18. *Role of Health Maintenance Organizations and other Private Health***
35 ***Insurance Institutions.*** – HMOs and other private health insurance institutions shall
36 assist in providing additional services of the hospital in terms of payment of billed
37 services.

1 **SEC. 19. *Tax Exemption on Donations.*** – All donations, contributions or
2 endowment which may be made by entities or persons to the Ospital han Samar shall
3 be exempt from income and gift taxes.

4 **SEC. 20. *Implementing Rules and Regulations.*** – Within sixty (60) days from the
5 effectivity of this Act, the Department of Health, in coordination with the Department
6 of Interior and Local Government, the Civil Service Commission, the Department of
7 Budget and Management and the Ospital Han Samar shall issue the rules and
8 regulations necessary for the effective implementation of this Act.

9 **SEC. 21. *Appropriations.*** – The Secretary of Health shall immediately include in
10 the program of the Department of Health the implementation of this Act, the funding
11 of which shall be included in the annual General Appropriations Act.

12 **SEC. 22. *Repealing Clause.*** – All laws, orders, decrees, rules, rules and
13 regulations inconsistent with the provisions of this Act are hereby repealed or modified
14 accordingly.

15 **SEC. 23. *Separability Clause.*** – If any part or provision of this Act shall be
16 declared to be unconstitutional or invalid, other parts or provision hereof which are
17 not affected thereby shall continue to be in full force and effect.

18 **SEC. 24. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
19 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,