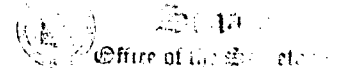


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



24 FEB 22 AM 11:36

SENATE

RECEIVED BY

S. No. 2567

Introduced by Senator Joseph Victor G. Ejercito

**AN ACT
ESTABLISHING THE OVERSEAS FILIPINO WORKERS HOSPITAL AS A LEVEL
III HOSPITAL UNDER THE DIRECT SUPERVISION AND CONTROL OF THE
DEPARTMENT OF MIGRANT WORKERS, AND APPROPRIATING FUNDS
THEREFOR**

EXPLANATORY NOTE

The issuance of Executive Order No. 154 in 2021 established the OFW Hospital to provide comprehensive and total health care services for all Overseas Filipino Workers (OFWs), as well as conduct medical examinations for all would-be overseas contract workers with approved job orders. At present, OFW Hospital is a Level 2 hospital.

According to the Department of Health (DOH), a Level 2 hospital shall have, on top of the minimum requirements of Level 1 capacity, must be departmentalized and should have intensive care units, respiratory therapy services, a tertiary clinical laboratory and a Level 2 imaging facility with mobile X-ray equipment.

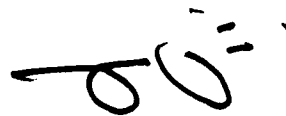
Upgrading the OFW hospital through this bill will mean a higher level of healthcare for our OFWs and their families. Level 3 hospitals, according to the DOH, include all of Level 1 and Level 2 services in addition to:

1. Teaching/training with at least any two (2) accredited residency training programs for physicians in any medical/surgical specialty and/or subspecialty;
2. Physical medicine and rehabilitation unit;
3. Ambulatory surgical clinic;

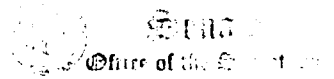
4. Dialysis unit;
5. Tertiary clinical laboratory with histopathology;
6. Blood bank; and
7. 3rd Level X-ray.

Thus, this bill proposes to convert the OFW Hospital to a Level 3 hospital under the direct supervision and control of the Department of Migrant Workers (DMW) and shall cater primarily to the healthcare needs of OFWs and their qualified dependents, including 24/7 telehealth services as well as the strengthening of health surveillance through the provision of a post-employment or post-arrival medical examination for OFWs.

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



JOSEPH VICTOR G. EJERCITO



NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

24 FEB 22 A11 :36

RECEIVED BY

SENATE
S. No. 2567

Introduced by Senator Joseph Victor G. Ejercito

AN ACT
ESTABLISHING THE OVERSEAS FILIPINO WORKERS HOSPITAL AS A LEVEL III HOSPITAL UNDER THE DIRECT SUPERVISION AND CONTROL OF THE DEPARTMENT OF MIGRANT WORKERS, AND APPROPRIATING FUNDS THEREFOR

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

1 Section 1. *Short Title.* - This Act shall be known as the "Overseas Filipino
2 Workers Hospital Act."

3 Sec. 2. *Declaration of Policy.* - It is the policy of the State to adopt an integrated
4 and comprehensive approach to health development which shall endeavor to make
5 essential goods, health, and other social services available to all people at affordable
6 cost. To this end, the State shall protect the interest and promote the well-being of
7 overseas Filipino workers (OFW) through the provision of social welfare services in
8 recognition of their importance and contribution to economic development and nation-
9 building.

10 Sec. 3. *Definition of Terms.* - As used in this Act:

- 11 a) *Dependents* shall refer to any of the following:
- 12 1) The legal spouse entitled by law to receive support from the OFW;
 - 13 2) The legitimate, legitimated, legally adopted, or illegitimate child who is
 - 14 unmarried, not gainfully employed, and has not reached twenty-one (21) years of
 - 15 age, or if over twenty-one (21) years of age, is congenitally incapacitated or while

1 still a minor has been permanently incapacitated and incapable of self-support,
2 physically or mentally; or

3 3) The parents who are receiving regular support from the OFW;

4 b) *OFW* refers to a Filipino who is to be engaged, is engaged, or has been engaged in
5 a remunerated activity in a country of which the said person is not an immigrant
6 citizen, or a permanent resident of, or is not awaiting naturalization, recognition, or
7 admission, whether land-based or sea-based regardless of status; excluding a Filipino
8 engaged under a government-recognized exchange visitor program for cultural and
9 educational purposes. For purposes of this Act, a person engaged in remunerated
10 activity covers a person who has been contracted for overseas employment but has
11 yet to leave the Philippines, regardless of status, and includes "Overseas
12 Contract Workers." The term "OFW" is synonymous with "Migrant Worker."

13 *Sec. 4. Establishment of the Overseas Filipino Workers Hospital as a Level III*
14 *Hospital.* - There shall be established in the City of San Fernando, Province of
15 Pampanga, a Level III hospital to be known as the Overseas Filipino Workers Hospital
16 (OFWH), which shall be under the direct supervision and control of the Department of
17 Migrant Workers (DMW). It shall cater primarily to the healthcare needs of OFWs and
18 their qualified dependents, subject to the limitations under existing laws, rules, and
19 regulations: *Provided,* That nothing herein shall prevent the OFWH from
20 accommodating patients other than OFWs or their qualified dependents.

21 The Medical Center Chief of OFWH shall, in consultation with the DMW and the
22 Department of Health (DOH), prepare the hospital development plan to reflect the
23 development goals of the hospital including its bed capacity and service capability.
24 Requests for staffing requirements, capital outlay investments, and budgetary needs
25 for operations shall be based on the hospital development plan.

26 The DOH shall support the OFWH through the provision of technical assistance,
27 extending capital outlay, and monitoring of the hospital's compliance with standards
28 to deliver quality healthcare.

29 *Sec. 5. Purposes and Objectives.* - The OFWH shall:

30 a) Provide comprehensive and total health care services to all migrant workers
31 including Overseas Workers Welfare Administration (OWWA) contributors, whether
32 active or inactive, their legal dependents, and the general public;

- 1 b) Serve as a referral facility for repatriated OFWs needing medical assistance and
2 support while ensuring its participation in the provincial and inter-regional healthcare
3 provider networks to allow for seamless and coordinated referral system for the
4 medical repatriation program in accordance with Republic Act No. 11223, otherwise
5 known as the "*Universal Health Care Act*";
- 6 c) Promote, encourage, engage in, and publish scientific research on the prevention,
7 care, and treatment of occupational diseases common to OFWs, including the
8 underwriting of research on biological, demographic, social, economic, eugenics,
9 physiological aspects of occupational disorders of OFWs, and conduct relevant
10 congresses, conventions, seminars, and conferences;
- 11 d) Develop training programs for medical and allied medical professionals which shall
12 focus on strengthening occupational and migrant health services in the country and
13 the creation of specialized services;
- 14 e) Provide 24/7 telehealth services to migrant workers and their families; the service
15 may be extended at the Philippine foreign post or the Philippine Overseas Labor Office
16 to assist in the medical assessment and management of distressed OFWs while
17 awaiting repatriation;
- 18 f) Establish the OFWH as a medical facility providing pre-employment medical
19 examination for OFWs;
- 20 g) Strengthen health surveillance through the provision of a post-employment or post-
21 arrival medical examination for OFWs, in consonance with Republic Act No. 8042,
22 otherwise known as the "Migrant Workers and Overseas Filipinos Act of 1995," and
23 the DOH's Philippine Migrant Health Program;
- 24 h) Raise public awareness and conduct a massive information drive on the prevention,
25 treatment, and control of diseases common to OFWs, occupational health and safety,
26 and physical fitness; and
- 27 i) Assist and support universities, research institutions, and other hospitals or medical
28 facilities in their studies on health-related concerns of OFWs.

29 Sec. 6. *Powers of the OFWH.* - The OFWH shall have the powers to:

- 30 a) Acquire and hold, in any manner, property of whatever nature or description, and
31 to dispose of such property under any mode of encumbrance or conveyance;
- 32 b) Contract and be contracted with;

- 1 c) Levy, assess and collect such fees, charges, and assessments as may be necessary
- 2 or proper to support, finance, and maintain its operation;
- 3 d) Mortgage, lease, sell, transfer, convey, or otherwise dispose of its properties;
- 4 e) Invest in, and purchase or otherwise acquire, own, hold, use, lease grant,
- 5 mortgage, sell, transfer or otherwise deal with, real and/or personal properties of
- 6 every kind and nature, including shares of stock, bonds, notes and other evidence of
- 7 indebtedness or obligations of other corporations whether government or private;
- 8 f) Solicit and receive donations, endowments, and funds in the form of contributions,
- 9 whether in cash or in kind, from both the public and private sectors subject to existing
- 10 budgeting, accounting, and auditing rules and regulations;
- 11 g) Open such accounts in banks and other financial institutions, and to disburse such
- 12 funds or invest the same as the DMW Secretary may direct to accomplish or advance
- 13 the purposes or interest of the hospital;
- 14 h) Invite foreign specialists and similar experts in the various medical fields not
- 15 available in the country; to train the personnel, trainees, and residents;
- 16 i) Send the personnel to research institutes, medical institutes, or universities for
- 17 advance training or observation and to attend international or regional conventions,
- 18 conferences, congresses, and seminars as the Medical Center Chief may deem
- 19 necessary to accomplish the purposes and objectives of the hospital and subject to
- 20 the approval of the DMW Secretary; and
- 21 j) Exercise such other powers and functions as may be necessary or incidental for the
- 22 accomplishment of the purposes and objectives of the OFWH.

23 *Sec. 7. Duties and Responsibilities of the DMW.* - The DMW shall:

- 24 a) Establish a focal office for migration and health in the DMW to ensure that the
- 25 country's migrant health program is mainstreamed in the plans and programs of the ^[1]_{SEP}
- 26 OFWH which shall include:
 - 27 a. Assistance in identifying, documenting, processing, and approving applications
 - 28 for benefits granted to OFWs and their qualified dependents;
 - 29 b. Establishment of a referral system within the OFWH to ensure efficient delivery
 - 30 of medical and health care services to OFWs and their qualified dependents;

- 1 c. Strengthening of the existing health benefits and medical assistance programs
2 such as subsidies on hospitalization and medical procedures for OFWs and their
3 qualified dependents, subject to the availability of funds and resources; and
4 d. Active engagement in the Philippine Migrant Health Network, an inter-agency,
5 multi-stakeholder network for migrant health, composed of members from
6 other government, non-governmental agencies, academe, civil society
7 organizations, private sector, and international organizations, to advocate and
8 lobby support for migrant health programs.
- 9 b) Formulate and promulgate policies, programs, and plans for the sound
10 administration, maintenance, and operations of the OFWH in consultation with the
11 Medical Center Chief;
- 12 c) Determine the organizational structure and staffing pattern of the OFWH in
13 accordance with the revised compensation and position classification system
14 subject to the evaluation and approval of the DBM and in compliance with the civil
15 service and other pertinent laws, rules and regulations;
- 16 d) Appoint and remove OFWH personnel upon the recommendation of the Medical
17 Center Chief subject to civil service rules and regulations and other applicable
18 laws;
- 19 e) Create a consultative committee and other necessary mechanisms for the effective
20 participation of land-based and sea-based accredited OFW organizations in the
21 formulation of policies for the effective implementation of programs and measures
22 to attain the objectives of the OF WH;
- 23 f) Determine and undertake, in coordination with the Governance Commission for
24 Government-Owned or Controlled Corporations, the appropriate steps for the
25 formal establishment and incorporation of the OFW Hospital in accordance with
26 Republic Act No. 10149, otherwise known as the "GOCC Governance Act of 2011";
27 and
- 28 g) Perform such other functions that are necessary for the attainment of the
29 purposes and objectives of this Act.

30 **Sec. 8. *Medical Center Chief.*** - The Medical Center Chief shall be appointed by
31 the President of the Philippines upon the recommendation of the DMW Secretary. The
32 Medical Center Chief shall have the following duties and responsibilities:

- 1 a) Provide overall direction and strategic leadership to the OFWH toward the provision
- 2 of high-quality health services;
- 3 b) Oversee all managerial and administrative processes and operations of all
- 4 departments of the OFWH;
- 5 c) Supervise daily activities of functional units;
- 6 d) Ensure high standards in clinical training for medical and allied medical personnel;
- 7 e) Execute, on behalf of the hospital, all contracts and agreements which the hospital
- 8 may enter into and accomplish and deliver any and all documents relative to such
- 9 contracts and agreements, subject to the approval of the DMW Secretary;
- 10 f) Represent the hospital in all dealing with other offices, agencies, and
- 11 instrumentalities of the Government and all other persons or entities, whether
- 12 domestic or foreign and whether government or private; and
- 13 g) Exercise such other powers and perform such duties as may be vested or reposed
- 14 by the DMW.

15 *Sec.9. Duties and Responsibilities of the DOH.* - The DOH shall:

- 16 a) Ensure that the necessary permits and licenses to operate the OFWH are obtained,
- 17 consistent with relevant issuances, rules and regulations;
- 18 b) Endorse and encourage medical specialists in other government hospitals such as
- 19 the Philippine Heart Center, National Kidney and Transplant Institute, Lung Center of
- 20 the Philippines, National Children's Hospital, and the Philippine General Hospital, to
- 21 hold clinics in the OFWH;
- 22 c) Establish OFW centers or wards in DOH-retained hospitals to complement the
- 23 OFWH. The level of OFW services and corresponding facilities in OFW centers or wards
- 24 and their respective health human resource requirements shall be determined by the
- 25 DOH, in coordination with stakeholders: Provided, That the standards to be adopted
- 26 thereon shall be consistent with the Philippine Health Facility Development Plan; and
- 27 d) Perform such other functions that are necessary for the attainment of the purposes
- 28 and objectives of this Act.

29 *SEC. 10. Support from other Government Agencies.* - The OWWA shall ensure

30 that existing health benefits and medical assistance programs are strengthened for

31 OFWs and their qualified dependents: *Provided,* That nothing in this Act shall be

32 construed to diminish or reduce the existing benefits of OFWs and their dependents

1 provided under Republic Act No. 11223, otherwise known as the "Universal Health
2 Care Act."

3 All other agencies, departments, bureaus, offices, or instrumentalities of the
4 government, including government-owned or-controlled corporations, shall render
5 assistance to the OFWH for the effective implementation of this Act.

6 *Sec. 11. Congressional Oversight Committee.* - There is hereby created a Joint
7 Congressional Oversight Committee which shall be jointly chaired by the Chairpersons
8 of the Senate Committee on Health and Demography and the House of
9 Representatives Committee on Health. It shall be composed of five (5) members from
10 the Senate and five (5) members from the House of Representatives, to be appointed
11 by the Senate President and the Speaker of the House of Representatives,
12 respectively: *Provided*, That at least one (1) member from each house shall come from
13 the Minority.

14 *Sec. 12. Appropriations.* - The amount necessary for the initial implementation
15 of this Act shall be charged against the current year's appropriation of the concerned
16 departments and agencies. Thereafter, such amount shall be included in the annual
17 General Appropriations Act.

18 *Sec. 13. Annual Report.* - The DMW shall submit to the President and Congress
19 an annual report on the implementation of this Act.

20 *Sec. 14. Implementing Rules and Regulations.* - Within sixty (60) days from the
21 approval of this Act, the DMW shall, in consultation with the DOH, OWWA, and other
22 stakeholders, promulgate the rules and regulations to carry out the provisions of this
23 Act.

24 *Sec. 15. Separability Clause.* - If any provision of this Act is declared invalid or
25 unconstitutional, the remaining provisions not affected thereby shall continue to be in
26 full force and effect.

27 *Sec. 16. Repealing Clause.* - All laws, decrees, executive orders, and rules and
28 regulations contrary to or inconsistent with the provisions of this Act are hereby
29 repealed or modified accordingly.

30 *Sec. 17. Effectivity.* - This Act shall take effect fifteen (15) days after its
31 publication in the Official Gazette or in a newspaper of general circulation.

Approved,