

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

10 JUL -6 19:21

SENATE

S. NO. 228

RECEIVED



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**Introduced by Senator Antonio "Sonny" F. Trillanes IV**

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**EXPLANATORY NOTE**

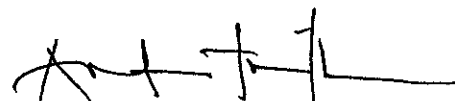
The Philippines, one of the 190 country – signatories of the 2000 Millennium Declaration, is lagging behind on its commitment to health-related goals and indicators.

The National Economic Development Authority reports that the halting and reversing of incidence of HIV and AIDS, malaria, and other diseases, is not quite evident in the country. The maternal mortality, moreover, is far from attaining its target. In 2006, the maternal mortality incident was 162 and is not decreasing nearly fast enough to reach the 2015 target of 52.

These facts are aggravated by the incessant exodus of medical practitioners from the country which relegates our health sector to a miserable state. At present, 121 municipalities in the country do not have doctors. According to the National Institute of Health (NIH), more than 9,000 physicians left the country to work as nurses abroad from 2002 to 2005. Likewise, the Health Alliance for Democracy (HEAD) said that in 2006, approximately 80 percent of public health physicians have took up or were enrolled in nursing. These trends in the health sector are already signs of the health system's collapse.

In order to restore the vitality of the health sector, the cornerstone lies in achieving a country with competent and committed health care providers. This bill, thus, seeks to institutionalize the Volunteer Health Care Provider Program by encouraging eligible health care institutions and organizations to volunteer and offer free health care services.

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

  
**ANTONIO "SONNY" F. TRILLANES IV**  
Senator

FIFTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
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OFFICE OF THE SECRETARY

10 JUL -6 1921

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AN ACT  
PROVIDING FOR A VOLUNTEER HEALTH CARE PROVIDER PROGRAM

*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 “*Volunteer Health Care*  
2 *Provider Program Act.*”

3  
4           **SEC. 2. Definition of Terms.** – As used in this Act, the following terms shall mean:

5           a. **Charitable organization** - means a charitable organization within the meaning of  
6 Section 30(E) of the National Internal Revenue Code of the Philippines which has, as its primary  
7 purpose, the sponsorship or support of programs designed to improve the quality, awareness, and  
8 availability of dental, medical, pharmaceutical, nursing, optometric, psychological, social work,  
9 behavioral science, physical therapy, occupational therapy, or emergency medical care services  
10 to children and to serve as a funding mechanism for provision of dental, medical,  
11 pharmaceutical, nursing, optometric, psychological, social work, behavioral science, physical  
12 therapy, occupational therapy, or emergency medical care services, including but not limited to  
13 immunizations, to children in the country.

14           b. **Field dental clinic** - means a dental clinic temporarily or periodically erected at a  
15 location utilizing mobile dental equipment, instruments, or supplies, as necessary, to provide  
16 dental services.

17           c. **Free clinic** - means a facility, other than a hospital or health care provider's office  
18 which is exempt from taxation under Section 30(E) of the National Internal Revenue Code of the  
19 Philippines and which has as its sole purpose the provision of health care services without charge  
20 to individuals who are otherwise unable to pay for the services.

1           d. *Health care provider* - means a licensed physician, physical therapist, occupational  
2 therapist, registered nurse, dentist, dental hygienist or dental assistant registered, optometrist,  
3 psychologist, social worker, mental health counselor or a marital and family therapist,  
4 pharmacist, or a certified emergency medical care provider.

5  
6           **SEC. 3. *Volunteer Health Care Provider Program.*** – The Secretary of Health, herein  
7 referred to as the Secretary, shall establish a program to provide free medical, dental,  
8 pharmaceutical, nursing, optometric, psychological, social work, behavioral science, physical  
9 therapy, occupational therapy, and emergency medical care services given on a voluntary basis  
10 by health care providers. A participating health care provider may be any of the following:  
11 hospitals, clinics, free clinics, field dental clinics, or other health care facilities, health care  
12 referral programs, or charitable organizations. Such health care provider shall register with the  
13 Department of Health, herein referred to as the Department, and obtain from the Department a  
14 list of eligible, participating hospitals, clinics, free clinics, field dental clinics, or other health  
15 care facilities, health care referral programs, or charitable organizations.

16  
17           **SEC. 4. *Status of Health Care Provider.*** – A health care provider providing free care  
18 under this Act shall be considered an employee of the government and shall be afforded  
19 protection as an employee of the government: *Provided,* That the health care provider has done  
20 all of the following:

21           a. Registered with the Department pursuant to Section 3 of this Act;

22           b. Provided medical, dental, pharmaceutical, nursing, optometric, psychological, social  
23 work, behavioral science, physical therapy, occupational therapy, or emergency medical care  
24 services through a hospital, clinic, free clinic, field dental clinic, or other health care facility,  
25 health care referral program, or charitable organization listed as eligible and participating by the  
26 Department pursuant to Section 3 of this Act.

27           A free clinic providing free care under this Act shall be considered a government agency  
28 solely for the purposes of this Act and shall be afforded protection as a government agency for

1 all claims arising from the provision of free care by a health care provider registered under  
2 Section 3 of this Act.

3

4 **SEC. 5. *Implementing Rules and Regulations.*** – The Department, in consultation with  
5 the Civil Service Commission, shall adopt rules to implement the volunteer health care provider  
6 program which shall include the following:

7 a. Procedure for registration of health care providers deemed qualified by the board of  
8 medical examiners, the board of physician assistant examiners, the board of dental examiners,  
9 the board of nursing, the board of social work examiners, the board of pharmacy examiners, the  
10 board of optometry examiners, and the board of physical and occupational therapy examiners.

11 b. Procedure for registration of free clinics and field dental clinics.

12 c. Criteria for and identification of hospitals, clinics, free clinics, field dental clinics, or  
13 other health care facilities, health care referral programs, or charitable organizations, eligible to  
14 participate in the provision of free medical, dental, pharmaceutical, nursing, optometric,  
15 psychological, social work, behavioral science, physical therapy, occupational therapy,  
16 respiratory therapy, or emergency medical care services through the volunteer health care  
17 provider program. A hospital, free clinic, a field dental clinic, a health care facility, a health care  
18 referral program, a charitable organization, or a health care provider participating in the program  
19 shall not bill or charge a patient for any health care provider service provided under the volunteer  
20 health care provider program.

21 d. Identification of the services to be provided under the program. The services provided  
22 may include, but shall not be limited to, obstetrical and gynecological medical services,  
23 psychiatric services provided by a licensed physician, and dental services.

24

25 **SEC. 6. *Separability Clause.*** – Any provision or provisions of this Act that may be  
26 declared unconstitutional or invalid shall not have the effect of nullifying other portions or  
27 provision hereof as long as such remaining portions can still subsist and be given effect in their  
28 entirety.

1           **SEC. 7. *Repealing Clause.*** – All laws, ordinances, rules and regulations, and other  
2 issuances or parts thereof which are inconsistent with this Act are hereby repealed or modified  
3 accordingly.

4  
5           **SEC. 8. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days from the date of  
6 its publication in at least two (2) newspapers of general circulation.

Approved,