

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

10 JUL -6 NO:23

SENATE
S. NO. 269

RECEIVED

Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

Article II, Section 15 of the Philippine Constitution provides that, "The State shall protect and promote the right to health of the people and instill health consciousness among them". However, it is known to everyone that a healthy physical condition of every individual is not guaranteed all the time.

In most cases, those who can not afford to finance themselves are also the ones who usually suffer the worst kinds of illnesses which can sometimes lead to organ failure. Often, organ transplantation can be the only treatment for an end-state organ failure. Hence, organ donation has generally become a necessity.

According to the World Health Organization, human body part used for transplantation is mostly obtained from a deceased donor. Nevertheless, the organs from living-related donors had been necessary for some types of transplants to compensate for the limited resources the cadaver donors provide in order to meet patient needs. Living-related organ donation is thus practiced despite the fact that it involves risks for the donor that may not be negligible.

This bill, therefore, seeks to acknowledge the living-related donor employees who willingly offer organ, bone marrow, blood, or blood platelets through entitling them to an organ donation leave with pay.

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


ANTONIO "SONNY" F. TRILLANES IV
Senator

10 01 -6 10:23

SENATE
S. NO. 269 RECEIVED TO [Signature]

Introduced by Senator Antonio "Sonny" F. Trillanes IV

**AN ACT
TO PROVIDE LEAVE WITH PAY FOR EMPLOYEES WHO DONATE ORGAN, BONE
MARROW, BLOOD, OR BLOOD PLATELETS**

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

1 **SECTION 1. *Short Title.*** – This Act may be cited as the “*Organ Donor Leave*
2 *Act of 2010*”.

3
4 **SEC. 2. *Definition of Terms.*** - As used in this Act:
5 a) "Agency" means any branch, department, board, committee, or commission
6 of the government, but does not include units of local government, school
7 districts, or boards of election commissioners;
8 b) "Department" means the Department of Health;
9 c) "Participating employee" means a permanent full-time or part-time employee
10 who has been employed by an agency for a period of 6 months or more and
11 , who donates an organ, bone marrow, blood, or blood platelets.

12
13 **SEC. 3. *Administration of the Act.*** –
14 a) On request, a participating employee subject to this Act may be entitled to
15 organ donation leave with pay.
16 b) An employee may use (i) up to 30 days of organ donation leave in any
17 12-month period to serve as a bone marrow donor, (ii) up to 30 days of organ donation
18 leave in any 12-month period to serve as an organ donor, (iii) up to one hour to donate
19 blood every 56 days, and (iv) up to 2 hours to donate blood platelets in accordance with
20 appropriate medical standards established by the Philippine National Red Cross,
21 Philippine Blood Coordinating Council, blood collection units and blood banks/centers in

1 the Philippines or other nationally-recognized standards. Leave under item (iv) may not
2 be granted more than twenty-four (24) times in a twelve-month period.

3 c) An employee may use organ donation leave or other leave authorized in
4 subsection (b) only after obtaining approval from the employee's agency.

5 d) An employee may not be required to use accumulated sick or vacation leave
6 time before being eligible for organ donor leave.

7 e) The Department must adopt rules governing organ donation leave, including
8 rules that (i) establish conditions and procedures for requesting and approving leave and
9 (ii) require medical documentation of the proposed organ or bone marrow donation
10 before leave is approved by the employing agency.

11
12 **SEC. 4. *Separability Clause.*** -If any provision of this Act is declared
13 unconstitutional or invalid, such sections or parts not affected thereby shall remain in full
14 force and effect.

15
16 **SEC. 5. *Repealing Clause.*** - All laws, decrees, orders, regulations and other
17 issuances or part thereof inconsistent with this Act are hereby repealed or modified
18 accordingly.

19
20 **SEC. 6. *Effectivity.*** - This Act shall take effect fifteen (15) days after its
21 publication in two (2) national newspapers of general circulation.

Approved,