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SENATE

Senate Bill No. 749

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

The national health policy of our country is clearly articulated in Article XIII, Section 11 of the 1987 Philippine Constitution in this wise: "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." By virtue of Section 17 of Title I of the 1991 Local Government Code, the delivery of basic services and facilities such as health and social welfare services were devolved to the local government units down to the barangay level. Thus, the barangay health centers and daycare centers are maintained with the help of barangay health workers who voluntarily render primary health care services to the community.

It is, however, ironic that while barangay health workers are the front-liners in providing health care services to the community, there is no existing mechanism to secure that all barangays are equipped with the services of their own barangay health worker. This bill seeks to remedy this situation.

This proposed measure mandates the appointment of at least 1 barangay health worker in each and every barangay. The barangay health worker shall be appointed by the municipal or city mayor, after proper accreditation with the local health board. Further, the barangay health worker shall be entitled to allowances and such other benefits accorded to other appointed barangay officials. More importantly, security of tenure of barangay health workers is expressly provided and recognized by the proposed measure. The passage of this proposed measure will strengthen the capacity of barangays to deliver basic health services to the community at the same time affording the barangay health workers their well-deserved entitlements and benefits.

In view of the foregoing, early passage of this bill is earnestly requested.


JINGGOY EJERCITO ESTRADA
Senator

10 JUL -7 PM '08

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AN ACT

MANDATING THE APPOINTMENT OF BARANGAY HEALTH WORKERS IN EVERY BARANGAY, AMENDING FOR THE PURPOSE REPUBLIC ACT 7160 OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE, FURTHER EXPANDING THE BENEFITS OF BARANGAY OFFICIALS AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. - This Act shall be known as the "**Barangay Health Workers Act of 2010.**"

SEC. 2. Declaration of Policy. - Pursuant to Article XIII, Section 11 of the 1987 Philippine Constitution, the State hereby declares the policy of according utmost importance to the health needs of the nation and shall henceforth endeavor to make essential goods, health and other social services available to all the people at affordable cost. Toward this end, the State shall ensure that accessible and quality health services are extended to each individual through the barangay health workers as the primary channel for implementing the State's health policies down to the barangay level. Thus, to secure the availability and delivery of barangay health needs, the State shall guarantee the appointment of a health worker in every barangay as frontline health workers.

SEC. 3. Coverage. -The provisions of this Act shall be applicable to all barangay health workers accredited to act as such by the local health board in accordance with the guidelines issued by the Department of Health (DPH). For the purposes of this Act, the term *barangay health worker* shall refer to a person who has undergone training program under any accredited government or non-government organization primarily to render health care services.

SEC. 4. Section 387 of Republic Act No. 7160, otherwise known as the *Local Government Code of 1991* as amended, shall be further amended to read as follows:

"Section 387. Chief Officials and Officers. - (a) There shall be in each barangay a punong barangay, seven (7) sangguniang barangay members, the sangguniang kabataan chairman, a barangay secretary, [and] a barangay treasurer, AND AT LEAST FIVE (5) BARANGAY HEALTH WORKERS PROVIDED THAT THE TOTAL NUMBER OF BARANGAY

HEALTH WORKERS PER BARANGAY SHALL IN NO CASE BE MORE THAN 1% OF THE BARANGAY'S TOTAL POPULATION."

SEC. 5. A new provision shall be inserted between Sections 395 and 396 of the same Act to be denominated as Section 395-A which shall read as follows:

"SECTION 395-A. *APPOINTMENT AND QUALIFICATIONS OF BARANGAY HEALTH WORKERS.* - THE BARANGAY HEALTH WORKER AS ACCREDITED AND RECOMMENDED BY THE MUNICIPAL OR CITY HEALTH BOARD IN ACCORDANCE WITH THE PROVISIONS OF REPUBLIC ACT NO.7883, OTHERWISE KNOWN AS THE BARANGAY HEALTH WORKERS AND BENEFITS ACT OF 1995, SHALL BE APPOINTED BY THE MUNICIPAL OR CITY MAYOR OF THE AREA WHERE SUCH BARANGAY HEALTH WORKER WILL BE APPOINTED IS LOCATED. A BARANGAY HEALTH WORKER SHALL BE ENTITLED TO ALLOWANCES AND SUCH OTHER BENEFITS TO WHICH OTHER APPOINTED BARANGAY OFFICIALS MAY BE ENTITLED TO. NO PERSON DULY APPOINTED AS A BARANGAY HEALTH WORKER SHALL BE REMOVED EXCEPT FOR VALID CAUSE AS PROVIDED UNDER EXISTING CIVIL SERVICE RULES AND REGULATIONS AND ONLY AFTER DUE NOTICE AND HEARING."

SEC. 6 . Section 393, paragraphs (a) and (b) of the Local Government Code of the Philippines, as amended, is hereby further amended to read as follows:

"Section 393. *Benefits of Barangay Officials.* - (a) Barangay officials, including barangay tanods and members of the lupong tagapamayapa, shall receive honoraria, allowances, and such other emoluments as may be authorized by law or barangay, municipal, or city ordinance in accordance with the provisions of this code, but in no case shall it be less than One Thousand Pesos (P1,000.00) per month for the punong barangay and Six Hundred Pesos (P600.00) per month for the sangguniang barangay members, barangay treasurer, [and] barangay secretary AND BARANGAY HEALTH WORKERS: *Provided, however* that the annual appropriations for personal services shall be subject to the budgetary limitations prescribed under Title Five, Book II of this Code; **PROVIDED FURTHERMORE**, THAT THE BENEFITS PROVIDED BY THIS CODE SHALL BE WITHOUT PREJUDICE TO THE APPLICATION OF AND ENTITLEMENT TO OTHER INCENTIVES AND BENEFITS FOR BARANGAY OFFICIALS AS MAY BE PROVIDED BY LAW SUCH AS REPUBLIC ACT NO. 6942 AND REPUBLIC ACT NO. 7883, OTHERWISE KNOWN AS THE BARANGAY HEALTH WORKERS BENEFITS AND INCENTIVES ACT.

(b) The punong barangay, the sangguniang barangay members, the barangay treasurer, [and] the barangay secretary AND THE BARANGAY HEALTH WORKER shall also:

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SEC. 7. *Implementing Rules and Regulations.* - The Department of Interior and Local Government, in coordination with the and the Civil Service Commission, shall within ninety (90) days from the enactment of this Act, promulgate the rules and regulations necessary for the implementation of this Act.

SEC. 8. Separability Clause. - If, for any reason, any provision of this Act is declared unconstitutional or invalid, other provisions hereof which are not effected thereby shall continue to be in full force and effect.

SEC. 9 . Repealing Clause. - All laws, decrees, executive orders, proclamations and administrative regulations, or parts thereof inconsistent herewith are hereby repealed or modified accordingly.

SEC. 10. Effectivity Clause. - This Act shall take effect immediately after its publication in at least two national newspapers of general circulation.

Approved,