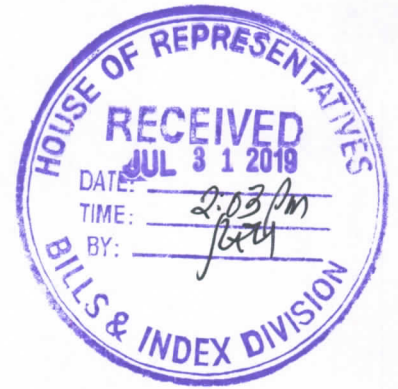


Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City



**EIGHTEENTH CONGRESS**  
First Regular Session

House Bill No. 3216

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Introduced by CIBAC Party-List Representatives  
Eduardo 'Bro. Eddie' C. Villanueva and Domingo C. Rivera

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**AN ACT**  
**ESTABLISHING SPECIAL HEALTH FACILITIES FOR OVERSEAS**  
**FILIPINO WORKERS (OFWS) AND THEIR DEPENDENTS**  
**TO BE KNOWN AS BAGONG BAYANING FILIPINO HOSPITAL,**  
**APPROPRIATING FUNDS THEREFOR AND FOR OTHER**  
**PURPOSES**

**EXPLANATORY NOTE**

Our Overseas Filipino Workers (OFWs) have been tagged as the nation's *bagong bayani*. They brave the thousands of miles away from home just so they could provide a brighter future for their children and better living condition for their families. In addition, their remittances and contributions to the economy continue to be one of the drivers of the country's growth and progress.

From April 1 to September 30, 2018, the Philippine Statistics Authority recorded a total of 2.3 million OFWs who worked abroad<sup>1</sup> and calculated a total amount of Php235.9 billion remittances,<sup>2</sup> which was translated to a significant contribution to our economy.

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<sup>1</sup> 2019, April 30. Total Number of OFWs Estimated at 2.3 Million (Results from the 2018 Survey on Overseas Filipinos) Retrieved from: <https://psa.gov.ph/statistics/survey/labor-and-employment/survey-overseas-filipinos> (date last accessed: June 25, 2019)

<sup>2</sup> Id.

Since our OFWs battle different working conditions in foreign lands, their health is even more at risk. Consider the accounted 1,000 Filipinos who are diagnosed with cancer from the United Arab Emirates<sup>3</sup> by NMC Hospital, a hospital based in Abu Dhabi. Moreover, studies by the Overseas Worker Welfare Association (OWWA) in Davao showed that OFWs are prone to suffer from hypertension, heart attack, breast, and ovarian cancers, which was either diagnosed during their work abroad or upon their return back home.<sup>4</sup>

This bill aims to give prime importance to the health of our OFWs, being our modern-day heroes, as well as their dependents through the building of the Bagong Bayaning Filipino Hospital. This bill will also complement the Department of Labor and Employment's initiative in establishing a hospital for OFWs, which is set to open in 2020,<sup>5</sup> and mandates the establishment of regional hospitals that will prioritize the needs of the OFWs and their dependents.

In view of the abovementioned concerns, the passage of this bill is eagerly sought.

  
**HON. EDUARDO "BRO. EDDIE" C. VILLANUEVA**

  
**HON. DOMINGO C. RIVERA**

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<sup>3</sup> 2017, December 28. Around 1,000 OFWs diagnosed with cancer in UAE every year – doctors. Retrieved from: <https://www.rappler.com/nation/192112-uae-ofws-cancer-1000-every-year> (date last accessed: June 25, 2019)

<sup>4</sup> 2016, 21 November. OFWs medical assistance program to launch in January. Retrieved from: <https://www.sunstar.com.ph/article/111291> (date last accessed: June 25, 2019)

<sup>5</sup> 2019, May 1. OFW hospital to open in Pampanga. Retrieved from: <https://www.rappler.com/nation/229453-overseas-filipino-workers-hospital-to-open-pampanga>. (date last accessed: June 25, 2019)

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1       **AN ACT ESTABLISHING SPECIAL HEALTH FACILITIES FOR**  
2       **OVERSEAS FILIPINO WORKERS (OFWS) AND THEIR**  
3       **DEPENDENTS TO BE KNOWN AS BAGONG BAYANING FILIPINO**  
4       **HOSPITAL, APPROPRIATING FUNDS THEREFOR AND FOR OTHER**  
5       **PURPOSES**

6  
7  
8       *Be it enacted by the Senate and the House of Representatives in Congress*  
9       *assembled:*

10  
11  
12       **SECTION 1. *Short Title.*** – This Act shall be known as the “*Bagong Bayaning Filipino*  
13       *Hospital Act.*”

14  
15       **SECTION 2. *Declaration of Policy.*** – It is hereby declared the policy of the State to  
16       adopt an integrated and comprehensive approach to health development which shall  
17       endeavor to make health, overall wellness and other important social services  
18       available to all the people at affordable cost. Toward this end, the State shall protect  
19       the right to health and promote and enhance the welfare and well-being of overseas  
20       Filipino workers and their dependents through the provision of personal health care  
21       and social welfare services.

22  
23       **SECTION 3. *Definition of Terms.*** – As used in this Act, the following terms shall have  
24       the following meaning:

- 25  
26       a.       **Overseas Filipino Worker (OFW)** shall refer to a person who is to be engaged,  
27       is engaged, or has been engaged in a remunerated activity in a state of which  
28       he or she is not a legal resident. A person “to be engaged in a remunerated



activity" refers to an applicant worker who has been promised or assured employment overseas and acting on such promise or assurance sustains damage and/or injury.

- b. **Dependents** shall refer to any of the following: (1) the legal spouse entitled by law to receive support from the overseas Filipino worker; (2) the legitimate, legitimated, or legally adopted, and illegitimate child who is unmarried, not gainfully employed, and has not reached twenty-one (21) years of age, or if over twenty-one (21) years of age, is congenitally incapacitated or while still a minor has been permanently incapacitated and incapable of self-support, physically or mentally; or (3) the parents who are receiving regular support from the overseas Filipino worker.
- c. **Health facility** shall refer to a facility that is devoted primarily to the provision of services for health promotion, prevention, diagnosis, treatment, rehabilitation, and palliation of individuals suffering from illness, disease, injury, disability or deformity, or are in need of obstetrical or other medical and nursing care, as well as the provision of mental health care services.

**SECTION 4. Creation of Special Health Facility for Overseas Filipino Workers and their Dependents.** – There is hereby created a special health facility for overseas Filipino workers to be known as Bagong Bayaning Filipino Hospital (the "Hospital") to be located in the National Capital Region or in any province as may be determined by the Department of Labor and Employment (DOLE) in consultation with the Department of Health (DOH) and other concerned government agencies and stakeholders.

The Hospital shall primarily cater to the physical, mental and over-all well-being of overseas Filipino workers and their dependents; *Provided*, That nothing herein shall prevent the Hospital from accommodating patients other than overseas Filipino workers and their dependents.

The Hospital shall be under the control and supervision of the DOH; *Provided*, That in the performance of its mandate as herein provided, the DOH shall closely coordinate with the DOLE and its attached agencies with regard the medical and mental needs of the overseas Filipino workers and their dependents.

**SECTION 5. Regional Hospitals.** – Within five (5) years from the effectivity of this Act, the DOH, in coordination with DOLE and other relevant agencies, shall establish regional hospitals in Luzon, Visayas and Mindanao to cater to the needs of overseas Filipino workers and their dependents who are located in these regions.

**SECTION 6. Prioritization and Additional Health Coverage of Overseas Filipino Workers and their Dependents.** – Each of the Hospitals to be established under this Act shall provide an express or priority lanes for overseas Filipino workers and their dependents senior citizens. They shall be given priority in the assignment of hospital beds, without prejudice to the rules on emergency cases as may be determined by the DOH and the Hospital Administrator.

Pursuant to the objectives of this Act, the Overseas Workers Welfare Administration (OWWA) shall broaden the existing medical assistance given to duly registered

OWWA members and their dependents, and as far as practicable, endeavor to make the hospitalization, confinement, medical treatment and medical care of duly registered OWWA members in the Hospital or any of its regional hospitals free of charge.

**SECTION 7. Administration and Composition of Board Members.** – The day-to-day operations of the Hospital shall be overseen by an Administrator to be appointed by the Board.

The powers and the administration of the Hospital shall be vested in a Board.

a. **Composition** – The Board shall be composed of the following members:

1. The Secretary of the DOH as Chairperson;
2. The Secretary of the DOLE as Vice-Chairperson;
3. The Secretary of the Department of Social Welfare and Development as member;
4. The Administrator of the OWWA as member;
5. The Administrator of the Philippine Overseas Employment Administration as member;
6. The Administrator of the Philippine General Hospital (PGH) as member;
7. Four (4) Representatives from the overseas Filipino workers sector: one (1) from National Capital Region; one (1) from Luzon; one (1) from Visayas; and one (1) from Mindanao as members, all of whom shall be appointed by the President of the Philippines from a list of nominees prepared by the other members of the Board; and
8. The Administrator of the Bagong Bayaning Filipino Hospital as *ex officio* member.

b. **Term** – The members of the Board shall have a term of three (3) years without reappointment. Except for members whose terms shall be co-terminus with their respective positions in government, any vacancy in the Board shall be filled in the manner in which the original appointment was made and the appointee shall serve only the unexpired term of his predecessor.

c. **Meetings and Quorum** – The Board shall hold regular meetings at least once a month. Special meetings may be convened at the call of the Chairperson or by a majority of the members of the Board. The presence of six (6) voting members shall constitute a quorum. In the absence of the Chairman and Vice-Chairman, a temporary presiding officer shall be designated by the majority of the members present during such meeting.



- 1 d. **Allowances and Per Diems** – The members of the Board shall receive a  
2 reasonable *per diem* for every meeting actually attended subject to the  
3 pertinent budgetary laws, rules and regulations on compensation, honoraria  
4 and allowances.  
5

6 **SECTION 8. Responsibilities and Powers.** – The Board of Directors of the Hospital  
7 shall have the following responsibilities and powers:  
8

- 9 a. To formulate and implement measures and programs to attain the objectives  
10 and purposes of the Hospital, with due regard to giving utmost priority and  
11 providing the best quality of service to overseas Filipino workers and their  
12 dependents;  
13  
14 b. To formulate and promulgate policies for the sound administration,  
15 maintenance, and operations of the Hospital;  
16  
17 c. To determine the staffing pattern of the Hospital, subject to the approval by the  
18 Department of Budget and Management;  
19  
20 d. To appoint the officials, employees and other personnel of the Hospital and the  
21 regional hospitals, subject to civil service laws, rules and regulations, and to  
22 prescribe their duties and fix their compensation subject to the provisions of  
23 Republic Act No. 6758, otherwise known as the Salary Standardization Law;  
24  
25 e. To enter into agreements and contracts in connection with its establishment,  
26 maintenance and operations of the Hospital;  
27  
28 f. To formulate and implement guidelines on the proper disposition of  
29 contributions, donations, bequests, subsidies or financial aids/assistance  
30 received by the Hospital; and  
31  
32 g. To perform such other duties and functions as it may deem appropriate for the  
33 attainment of the objectives of the Hospital.  
34

35 **SECTION 9. Referral System.** – The DOLE and OWWA shall establish a referral  
36 system with the Hospitals and its regional hospitals to ensure proper delivery of  
37 services to qualified overseas Filipino workers and their dependents.  
38

39 **SECTION 10. Pre-employment Medical Examinations for OFWs.** – The DOH and  
40 the POEA, shall, as far as practicable, develop a system to allow and facilitate the  
41 conduct of all pre-employment medical examinations of departing OFWs in the  
42 Hospital and its regional hospitals.  
43

44 **SECTION 11. Implementing Rules and Regulations.** – Within sixty (60) days from  
45 the effectivity of this Act, DOH and DOLE, in consultation with relevant government  
46 agencies and stakeholders, shall promulgate the rules and regulations for the proper  
47 implementation of this Act.  
48

49 **SECTION 12. Appropriations.** – A sum of One Billion Pesos (Php1,000,000,000.00)  
50 is hereby appropriated to fund the initial budgetary requirements of this Act.

1 Thereafter, the budget for the Hospital and its regional hospitals shall be included in  
2 the annual General Appropriations Act (GAA).

3  
4 **SECTION 13. *Exemption from Donor's Taxes, Customs and Tariff Duties.*** – All  
5 donations, contributions or endowments which may be made by persons or entities to  
6 the Hospital and its regional hospitals and for the proper implementation of this Act  
7 shall be exempted from donor's tax. The importation of medical equipment and  
8 machineries, spare parts and other medical equipment for the exclusive use of the  
9 Bagong Bayaning Filipino Hospital shall be exempted customs duties, other direct and  
10 indirect taxes, wharfage fees and other charges and restrictions.

11  
12 **SECTION 14. *Annual Report.*** – The Hospital shall submit an annual report to the  
13 President and to the Congress on or before April 30 of each year.

14  
15 **SECTION 15. *Congressional Oversight Committee.*** – A Congressional Oversight  
16 Committee (Committee) is hereby constituted in accordance with the provisions of this  
17 Act. The Committee shall be composed of the Chairman of the Senate Committee on  
18 Labor, Employment and Human Resources Development and the Chairman of the  
19 House of Representatives Committee on Overseas Workers Affairs, who shall jointly  
20 chair the Committee, and three members each from each house, to be designated by  
21 the President of the Senate and the Speaker of the House of Representatives,  
22 respectively.

23  
24 The Committee shall monitor and ensure the proper implementation of this Act, review  
25 the performance of the Bagong Bayaning Filipino Hospital and its regional hospitals,  
26 review the proper implementation of the programs of the hospital, as well as the  
27 utilization of its funds, and require the submission of reports and other documents as  
28 it deem proper in connection with its oversight functions as herein provided.

29  
30 **SECTION 16. *Repealing Clause.*** – All laws, decrees, executive orders, rules and  
31 regulations or part thereof deemed inconsistent with the provisions of this Act are  
32 hereby repealed or modified accordingly.

33  
34 **SECTION 17. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days from its  
35 publication in the Official Gazette or in at least two (2) national newspapers of general  
36 circulation.

37  
38  
39 *Approved,*