

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
FIRST REGULAR SESSION

House Bill No. 2686



INTRODUCED BY **Rep. GREG G. GASATAYA**

EXPLANATORY NOTE

Art. II, Sec. 15 of the 1987 Constitution states that *"The State shall protect and promote the right to health of the people and instill health consciousness among them."* Furthermore, Art. XIII, Sec. 11 of the same further emphasizes that *"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. There shall be priority for the needs of the under-privileged, sick, elderly, disabled, women and children. The State shall endeavor to provide free medical care to paupers."* Accordingly, the government must exhaust efforts in ensuring quality and accessible healthcare for its people.

Cardiovascular and kidney diseases remain the top causes of death in our country today. 276 Filipinos die from heart attack every day and 28,215 regularly undergo dialysis because of kidney problems, placing heart diseases as the top killer disease and kidney problems as the seventh (7th) top cause of morbidity and eighth (8th) of mortality in the country.

While there has been significant improvement in the quality of medical services that the State provides, issues in terms of accessibility due to financial and geographical constraints still remain. Patients suffering from cardiovascular and kidney diseases from all over the country are often faced with no other choice but to go to the Philippine Heart Center and the National Kidney and Transplant Institute in Metro Manila just to avail of specialized medical assistance from the

government due to lack of local facilities that can accommodate their medical needs. The deficiency on tertiary (level 3) government medical facilities places additional burden on patients especially the poor through added expenses such as travel fare, lodging, and miscellaneous expenditures. In the case of Negros Occidental, only two (2) government-owned dialysis centers and a lone tertiary government hospital cater to thousands of patients with cardiovascular and kidney diseases in the province that patients in need of delicate procedures are left obligated to travel to Metro Manila.

This bill therefore seeks to address the aforementioned issues and make quality medical care and services more accessible by establishing a center for heart and kidney diseases in the City of Bacolod, Province of Negros Occidental.

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



REP. GREG G. GASATAYA
Lone District of Bacolod City

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**AN ACT CREATING THE BACOLOD-NEGROS HEART
AND KIDNEY CENTER AND APPROPRIATING FUNDS THEREFOR**

***SECTION 1. Creation of the Bacolod-Negros Heart and Kidney Center;
Board of Trustees. –***

There is hereby created a trust, for the benefit primarily of the people of Negros, under the name and style of "Bacolod-Negros Heart and Kidney Center" in the City of Bacolod hereinafter referred to as the Institute.

The Institute shall be administered by a Board of Trustees, composed of seven (7) members, to be appointed by the President of the Philippines, who shall serve with the term of three (3) years. The Director of the Center shall be appointed by the Board of Trustees.

Any vacancy in the Board shall be filled by appointment by the President of the Philippines, and the appointee shall serve for the unexpired term. The Board of Trustees of the Center shall elect a Chairman from among themselves, who shall be presiding officer of the Board of Trustees.

The Director of the Center shall serve as Vice-Chairman of the Board. The Director shall act as the chief executive officer of the Center, with authority, among others, to appoint, remove, and fix the compensation of the personnel thereof, subject to the approval of the Board of Trustees.

Four (4) members of the Board of Trustees shall constitute a quorum to transact business and any decision of such four members on any matter duly presented to the Board of Trustees shall constitute a valid and binding act of the Center.

SECTION 2. *Government contributions.* – The Government shall constitute the necessary land, building, equipment and facilities, to the Center, and shall pay such obligations for real, personal and mixed properties arising from such undertaking under a deferred payment arrangement within 5 years, at a preferred rate of interest.

SECTION 3. *Property of the Center.* – The Property of the Center shall consist of such real, personal, mixed, and other type of property, now owned or reserved for, or may hereafter be given, donated, acquired, transferred or conveyed to, the Center by the Philippine Government, its branches and instrumentalities, any foreign government, as well as by trust, foundations, corporations, or persons, alien or domestic, in order to carry out its purposes and objectives as set forth herein.

SECTION 4. *Purposes and objectives.* – The purposes and objectives of the Center are:

- (a) To construct, establish, operate and maintain a heart and kidney center for the public welfare, including a specialized heart and kidney hospital;
- (b) To promote, encourage, and engage in medical and scientific research relative to the prevention and treatment of cardio-vascular and kidney diseases and the care and/or treatment of heart and kidney patients and related activities, including sponsorship and conduct of relevant congresses, conventions, seminars, and conferences;
- (c) To stimulate and/or underwrite scientific researches on the biological, demographic, social, economic, eugenic, physiological aspects of kidney and cardio-vascular disorders and abnormalities and their control; and gather, compile, and publish the findings of such researches for public dissemination in coordination with the National Kidney and Transplant Institute and the Philippine Heart Center;
- (d) To encourage and/or undertake the training of physicians, nurses, medical technicians, health officers and social workers on the practical and scientific conduct and implementation of kidney and cardiac services, and related activities;

- (e) To assist universities, hospitals and research institutions in their studies on heart, kidney, and allied diseases and other related fields, to encourage and grant scholarships for advanced training and specialization in related fields, and to support educational programs of value to general public health;
- (f) To encourage the formation of other organization on the national, provincial, city, municipal or barangay level and to coordinate their various efforts and activities for the purpose of achieving a more effective programmatic approach on the common problems relative to the objectives herein enumerated; and
- (g) To extend medical and cardiological services to the general public, to help prevent, relieve or alleviate the innumerable kidney and cardiovascular afflictions and maladies of the people specially the poor and less fortunate in life, without regard to race, creed, color or political belief.

SECTION 5. Powers. – For the attainment and/or furtherance of the above purposes and objectives, the Institute, as a body corporate, acting through its Board of Trustees, shall have all the powers pertaining to a juridical person, and is therefore authorized, among other things:

- (a) To acquire and hold in any property of whatever nature or description, and to dispose of such property under any mode of encumbrance or conveyance;
- (b) To contract and be contracted with;
- (c) To mortgage, lease, sell, transfer, convey or otherwise dispose of its properties;
- (d) To solicit and receive donations, endowments and funds in the form of contributions, whether in cash or in kind, from both the public and private sectors;
- (e) To open such accounts in banks and other financial institutions, and to disburse such funds or invest the same as the Board may direct to accomplish or advance the purposes or interest of the Institute;
- (f) To invite foreign heart specialists and similar experts in the various medical fields to train the personnel or trainees or residents of the Institute;

(g) To send the personnel of the Institute to research institutes, medical institutes or universities for advance training or observation and to attend international or regional conventions, conferences, congresses, seminars as the Board may deem necessary to accomplish the purposes and objectives of the Institute;

(h) To adopt a set of by-laws, rules and regulations not inconsistent with law and the provisions hereof to govern the administration and operation of the affairs of the Center; and

(i) To do all such other acts and things as are or may be necessary or incidental for the accomplishment of the purposes and objectives of the Institute.

SECTION 6. *Tax exemptions, etc.* – All donations, contributions or endowments which may be made by entities or persons to the Center shall be exempt from income and gift taxes, and the same shall be further deductible in full for purposes of computing the maximum amount deductible under the National Internal Revenue Code, as amended.

The Institute shall be exempt from the payment of all taxes, charges and fees imposed by the Government or any political subdivision or instrumentality thereof.

All income earned by both Filipino and foreigner doctors who shall use the facilities of the Center shall be tax exempt for a period of five (5) years from the date of issuance hereof.

SECTION 7. *Assistance from government offices, etc.* – The Center may call upon any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in the pursuit of its purposes and objectives.

All individuals, entities and institutions are hereby enjoined to render full assistance and corporation to the Institute in the accomplishment of its objectives and activities.

SECTION 8. *Government contribution.* – The amount of P1,000,000,000 is hereby appropriated as contribution of the National Government for the initial operations and maintenance of the Center. Thereafter, the necessary amount to support the continued operation and maintenance of the Bacolod-Negros Heart and

Kidney Center shall be appropriated and released, subject to the approval of the President of the Philippines.

SECTION 9. *Auditing.* — The books and accounts of the Center shall be subject to periodic auditing by the Commission on Audit.

SECTION 10. *Annual report.* — The Institute shall render to the President of the Philippines an annual report of its activities and recommendations.

SECTION 11. *Effect of dissolution of the Center.* — If, for any reason, the Center is dissolved, its property remaining at the time of such dissolution shall revert to the Philippine Government for disposition in accordance with law.

SECTION 12. *Separability Clause.* — If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected thereby shall remain in full force and effect.

SECTION 13. *Repealing Clause.* — Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 14. *Effectivity.* — This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

APPROVED,