

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. **5037**



Introduced by Representative **John Marvin "Yul Servo" Nieto**

EXPLANATORY NOTE

As a manifestation of support to this timely piece of legislation, this representation respectfully refiles this measure, which has constantly been receiving support from the past and present Congress.

Cancer is one of the leading causes of morbidity and mortality worldwide. According to the World Health Organization (WHO), there are approximately 14 million new cases and 8.2 million cancer related deaths. 60% of the world's total new annual cases occur in Africa, Asia, and Central and South America. The following regions also account for 70% of the world's cancer related deaths.

Cancer still remains as a national health priority in the country for it has significant implications for individuals, families, communities, and the overall health system. In this country, it ranked as the third leading cause of death and among Filipinos. The 6 most common sites of cancers according to the research done by Globocan are: breast, cervix, lung, colon/rectum, ovary, and liver. Moreover, 189 of every 100,000 Filipinos are afflicted with cancer and an estimated number of four Filipinos die of cancer every hour.

This measure seeks to create a Philippine Cancer Center that will be specializing in cancer treatments including the following: Chemotherapy, Radiation and Cobalt Therapy. The National Cancer Center of the Philippines shall also develop and implement programs that would address the prevention and early detection of cancer to lower the risks of developing cancer in the country. The aforementioned center shall also serve as the center for research and training institution in regard to cancer prevention, detection, and treatment.

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


JOHN MARVIN "YUL SERVO" C. NIETO

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House Bill No. 5037

Introduced by Representative **John Marvin "Yul Servo" Nieto**

AN ACT
CREATING THE NATIONAL CANCER CENTER OF THE PHILIPPINES,
PROVIDING FUNDS THEREFOR 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 "National Cancer Center of the Philippines Act".

Section 2. Declaration of Policies. - It is hereby declared as the policy of the State to secure the well-being of its people by providing them with specialized health services and address the increasing incidences of deadly diseases like cancer in the country. Towards this end, the State shall establish a specialized public hospital for the prevention, detection, and treatment of cancer.

Section 3. Creation of the National Cancer Center of the Philippines. - There is hereby created and established, under the supervision of the Department of Health (DOH), a specialized center for the benefit primarily of the Filipino people under the name and style of "National Cancer Center of the Philippines".

Section 4. Board of Trustees. - The National Cancer Center of the Philippines shall be administered by a Board of Trustees composed of seven (7) members to be appointed by the President of the Philippines upon the recommendation of the Department of Health. The six appointive members of the Board of Trustees shall serve for a period of four (4) years until their successors shall have been appointed and qualified.

The Board of Trustees, as provided for in the preceding section, shall have the following powers and functions:

- (a) To elect a Chairman from among them who shall be the presiding officer of the Board of Trustees;
- (b) To appoint a Director of the Cancer Center who shall serve as Vice-Chairman of the Board;
- (c) To formulate policies and adopt measures which are necessary to carry out the provisions of this Act;

- (d) To prescribe, amend, and repeal its by-laws, rules, and regulations governing the manner in which the general business of The National Cancer Center of the Philippines may be conducted and its power exercised; and
- (e) To perform such other functions as maybe necessary to achieve the objectives of this Act.

Four (4) members of the Board of Trustees shall constitute a quorum to transact business and any decision made by all the members on any matter duly presented to the Board of Trustees shall constitute a valid and binding act of The National Cancer Center of the Philippines.

Any vacancy in the Board shall be filled by appointment by the President of the Philippines upon the recommendation of the Department of Health and the appointee shall serve for the unexpired term.

Section 5. Director of the Cancer Center. – The Director of the Center shall act as the chief executive officer of the National Cancer Center of the Philippines with the following powers and functions:

- (a) To appoint, remove, and the compensation of the personnel thereof subject to the approval of the Board of Trustees and in accordance with existing relevant laws;
- (b) To prepare the agenda for the meeting of the Board and to submit policies and other important measures for the consideration of the Board;
- (c) To execute and administer the policies and measures approved by the Board; and
- (d) To direct and supervise the internal operations and administration of The National Cancer Center of the Philippines.

Section 6. Purposes and Objectives. – The National Cancer Center of the Philippines shall have the following purpose and objectives:

- (a) To construct, establish, operate, and maintain a cancer center for the public welfare including a specialized cancer hospital;
- (b) To promote, encourage, and engage in scientific research on the prevention of cancer and the care and/or treatment of cancer 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, physiological aspects of cancer, its abnormalities and control; and gather, compile, and publish the findings of such researches for public dissemination;
- (d) To facilitate and encourage the dissemination and exchange of ideas and information on the prevention, treatment, and control of cancer; to raise,

enhance, and develop public interest on cancer awareness, general health, and physical fitness;

(e) 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 cancer healthcare services and related activities;

(f) To assist universities, hospitals, and research institutions in their studies of cellular anomalies, to encourage advanced training on matters of or affecting the human cell and related field, and to support educational programs of value to general health;

(g) 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

(h) To extend medical services to the general public especially the poor and less fortunate in life who are suffering from cancer.

Section 7. Powers of The National Cancer Center of the Philippines. - The National Cancer Center of the Philippines, as a corporate body acting through its Board of Trustees, shall have the following powers

(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 National Cancer Center of the Philippines;

(f) To invite foreign cancer specialists and similar experts in the various medical fields to train the personnel or trainees or residents of The National Cancer Center of the Philippines;

(g) To send the personnel of The National Cancer Center of the Philippines to research institutes, medical institutes, or universities for advance training or observation and to attend international or regional conventions, conferences, congresses, and seminars as the Board may deem necessary to accomplish

the purposes and objectives of The National Cancer Center of the Philippines;

(h) To develop or support patient care programs and other programs that would provide pain relief and psycho-social support for the terminally-ill cancer patient and his/her family;

(i) 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 National Cancer Center of the Philippines; and

(j) To do all such other acts and things as are may be necessary or incidental for the accomplishment of the purposes and objectives of The National Cancer Center of the Philippines.

Section 8. Research Programs. – The National Cancer Center of the Philippines in coordination with the Department of Health shall, directly or through grants to public or non-private entities, carry out the following:

(a) Research with priority to research concerning

(i) Diagnosis and treatment of cancer;

(ii) Strains of cancer/s resistant to drugs;

(iii) Cases of cancer that affect certain populations, and

(iv) Clinical trials.

(b) Public information and education programs;

(c) Education, training, and clinical skills improvement activities for health professionals;

(d) Support of model centers to carry out activities under Section 6 paragraphs (a) to (c);

(e) Collaboration with international organizations and foreign countries in carrying out such activities; and

(f) Enhancement of basic and clinical research on cancer and its relation to other diseases.

Section 9. Education Programs. – The National Cancer Center of the Philippines in coordination with the Department of Health and the Commission on Higher Education, shall encourage faculties of schools of medicine, nursing, osteopathic medicine and other related filed to intensify their program for information and education programs, including the development of their curricula, to significantly increase the opportunities for students and for practicing providers to learn the principles and practices of preventing, managing, and treatment of cancer.

Section 10. Government Contribution. – The Government shall constitute the necessary land, building, equipment, and facilities to The National Cancer Center

of the Philippines, and shall pay such obligations for real, personal, and mixed properties arising from such undertaking under a deferred payment arrangement within five (5) years at a preferred rate of interest.

Section 11. Property of the Center. - The Property of The National Cancer Center of the Philippines 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 National Cancer Center of the Philippines by the Philippine Government, its branches and instrumentalities, any foreign government, as well as by trust, foundations, corporations, or persons, aliens, or domestic, in order to carry out its purposes and objectives as set forth herein.

Section 12. Assistance from other Government Offices. - The National Cancer Center of the Philippines 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.

Section 13. Tax Exemptions. - All donations, contributions, or endowments which may be made by entities or persons to The National Cancer Center of the Philippines shall be exempt from income and donor's taxes, and the same shall further be deductible in full for purposes of computing the maximum amount deductible under Section 101 of the National Internal Revenue Code of 1997, as amended.

The National Cancer Center of the Philippines shall also be exempt from the payment of all taxes, charges, and fees imposed by the Government or any political subdivision or instrumentality thereof for a period of ten (10) years.

Section 14. Appropriation. - The amount of three hundred million (P300,000,000.00) for the structure, equipment, initial operation, and maintenance of The National Cancer Center of the Philippines shall be sourced from the appropriations for the Department of Health. Subsequent subsidy for the years thereafter shall be included in the General Appropriations Act under the Budgetary Support for Government Corporations.

Section 15. Audit. - The books and accounts of The National Cancer Center of the Philippines shall be subject to periodic auditing by the duly authorized representative of the Commission on Audit.

Section 16. Annual Report. - The National Cancer Center of the Philippines shall render to the Department of Health and the President of the Philippines an annual report of its activities, accomplishments, and recommendations.

Section 17. Implementing Rules and Regulations. - Within ninety (90) days after the effectivity of this Act, the Department of Health and the Department of Budget and Management shall promulgate the necessary rules and regulations for the proper implementation of this Act.

Section 18. Effect of Dissolution of the Cancer Center. - If for any reason, The National Cancer Center of the Philippines is dissolved, its assets, and properties remaining at the time of dissolution shall revert to the Philippine Government for disposition in accordance with law.

Section 19. 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 20. Separability Clause. - If any provision or part of this Act is held unconstitutional or invalid, the remaining parts or provisions not affected shall remain in full force and effect.

Section 21. Effectivity. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,