



HOUSE OF REPRESENTATIVES

House Bill No. 6129

Introduced by Representative Victor A. Yap

EXPLANATORY NOTE

The number of senior citizens in proportion to our country's population has been steadily growing. According to the most recent data from 2018, senior citizens comprise 8.2 percent of our total population, or around 8.01 million. The number is expected to reach 14.3 million by the year 2040, making up around 13.8 percent of the population.¹

In the Philippines, we have already several existing laws clearly indicating that the State is duty-bound to provide support and services to our senior citizens. Our country's Expanded Senior Citizens Act has gone through amendments to be responsive to the needs of elderly, which now provides free and mandatory PhilHealth coverage for senior citizens, and five to twenty percent discounts on medicines and other services, as well as value-added tax exemptions. Even Article XIII, Section 11 of the Constitution states that there shall be priority for the needs of the underprivileged, sick, elderly, disabled, women, and children. Likewise, Article XV, Section 4 on the Filipino Family states that it is the duty of the family to take care of its older members, while the State may design programs of social security for them.

However, the sad fact is that several of our senior citizens have been neglected and abandoned by their supposed families. They are left to the mercy of civil society whose means to accommodate these pitiful elderlies are oftentimes inconsistent and insufficient.

Therefore, this legislation was crafted to help address this problem, as well as to issue a clear mandate for the government to assume the role of custodians to these abandoned elderlies, taking up the reins to provide for their care. The establishment of nursing homes would hopefully make these places sanctuaries for the elderly who are in the last stages of their lives, and shall serve as a testament that the State shall always serve those who are less fortunate in life.

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



VICTOR A. YAP

Representative, 2nd District of Tarlac

¹ <https://news.abs-cbn.com/news/01/03/18/philippines-moving-toward-aging-population-popcom>

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AN ACT
ESTABLISHING A NURSING HOME FOR HOMELESS AND ABANDONED
SENIOR CITIZENS IN EVERY CITY OR MUNICIPALITY IN THE
PHILIPPINES, APPROPRIATING 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. -Short title. -This Act shall be known as the "Homes for
Abandoned Seniors Act of 2020".

SEC. 2. Declaration of Policy. - It is hereby declared the policy of the State to
value the dignity of every human person, guarantee full respect for human rights, extend
assistance to its elderly citizens through programs of social security, and promote the
right to health and safety of senior citizens. Towards this end, the State shall extend
assistance to abandoned and homeless senior citizens through a social care and security
program.

SEC. 3. Definition of Terms. - As used in this Act, the following terms shall
mean:

- a. Abandoned Senior Citizen refers to a senior citizen who has been deserted,
permanently or temporarily, by his relatives or persons who have general or
legal responsibility over the senior citizen, and/or from whom all basic care
have been withdrawn, whether willfully or not;
- b. Homeless Senior Citizen refers to a senior who lacks a fixed, regular
residence, or whose current residence is unfit for human habitation, or lacks
resources to obtain proper housing;
- c. Nursing Home refers to a home for the aged, established and maintained
under this Act by a city or municipality which provides living
accommodations, food and clothing, medical and health care, and recreational
and social interaction activities for abandoned senior citizens or homeless
senior citizens;
- d. Senior Citizen refers to any resident citizen of the Philippines at least sixty
(60) years of age.

SEC. 4. Establishment of Nursing Homes. - There shall be established in every
municipality and city, a nursing home to serve abandoned senior citizens and homeless
senior citizens, to be built by the local government units (LGUs) concerned and shall be
operated and maintained by the Department of Social Welfare and Development
(DSWD) in coordination with the LGUs concerned.

1 **SEC.5. Functions of Nursing Homes.** – The nursing homes shall provide
2 homeless senior citizens or abandoned senior citizens within its territorial jurisdiction
3 institutionalized residential care programs and services such as but not limited to:

- 4 a. Comfortable living quarters;
- 5 b. Adequate food and clothing;
- 6 c. Medical consultation or treatment;
- 7 d. Health care;
- 8 e. Occupational opportunities;
- 9 f. Recreational and social interaction activities;
- 10 g. Counseling;
- 11 h. Case conference;
- 12 i. Family dialogue;
- 13 j. Outreach to existing family for reintegration;
- 14 k. Literacy education;
- 15 l. Productivity development;
- 16 m. Religious, cultural and vocational activities;

17
18 **SEC. 6. Implementing Rules and Regulations.** - The DSWD, in coordination
19 with the Department of Interior and Local Government, Department of Health and the
20 Federation of Senior Citizens Associations of the Philippines, and Confederation of Older
21 Persons Associations of the Philippines, shall hereby promulgate the rules and regulations
22 to carry out the provisions this Act not later than ninety (90) days after its effectivity.
23

24 **SEC. 7. Exemptions of the Nursing Home.** - The established nursing home shall
25 be exempted from the payment of customs duties, taxes, and tariffs on the importation of
26 equipment and supplies used actually, directly, and exclusively by the nursing home
27 pursuant to this Act, including those donated to the Nursing Home.
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29 **SEC. 8. Appropriations.** - The amount necessary to carry out the provisions of
30 this Act shall be included in the General Appropriations Act of the year following its
31 enactment into law and every year thereafter.
32

33 **SEC. 9. Separability Clause.** - If any provision of this Act is declared invalid or
34 unconstitutional, the provisions not affected thereby shall remain in full force and effect.
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36 **SEC.10. Repealing Clause.** - All laws, presidential decrees, executive orders,
37 presidential proclamations, rules and regulations or parts thereof contrary to or
38 inconsistent with this Act are hereby repealed or modified accordingly.
39

40 **SEC.11. Effectivity.**- This Act shall take effect fifteen (15) days after its
41 publication in the Official Gazette or at least two (2) national papers of general
42 circulation.

Approved,