

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 3295



Introduced by **Pangasinan Fifth District Representative**
HON. RAMON V. GUICO III

EXPLANATORY NOTE

The elderly population in the Philippines is steadily increasing in the past decade. According to the Commission on Population (POPCOM), the country is moving toward an aging society. POPCOM estimated that by year-end 2018 the elderly Filipinos or those over 60 years old will constitute 8.2% of the population. Of this group, 5,082,049 will be 65 and older. It is predicted that the percentage of elderly Filipinos will increase by 6.3% in 2030. Of this group, many are poor, living alone, widowed, and abandoned who do not have the financial means to sustain an adequate quality of life.

The lack of institutional care in the country has left the graying population in the hands of family members. Unfortunately, those who belong to the lower socioeconomic status may not provide adequate care to an ailing loved one. Moreover, older Filipinos often are not able to save for retirement because they may have young dependents. As a result, they may have to sacrifice their financial assets to care for younger members of the family. There is also a glaring disparity in services received by older Filipinos living in urban and rural areas, with the former receiving better and adequate services than the latter. There is, therefore, a need to equalize these services to ensure quality life among all social classes.

As provided in the Constitution of the Republic of the Philippines, it is the declared policy of the state to promote the welfare of all Filipinos to free the people from poverty through policies that provide adequate services. As such, this bill is proposed. Under this Act, the National Elderly Care Program shall provide measures necessary for the maintenance of the elderly's physical and mental health and for the stabilization of their livelihoods, and thereby to promote their general welfare.

It is only right that we provide the best care to our elderly who have contributed to the development of society for many years.

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


Rep. Ramon V. Guico III

- 1 d. Secure and respect the rights of elderly persons, as persons who have contributed
2 to the development of society for many years and who have abundant knowledge
3 and experience, such that they may live a healthy and comfortable lives;
4
5 e. Make efforts so that, through a recognition of the changes within the mind and
6 body caused by aging, elderly persons may maintain their physical and mental
7 health at all times, and efforts shall also be made so that the elderly may take
8 advantage of their knowledge and experience and participate in social activities;
9 and
10
11 f. Afford opportunities to elderly persons so that they may engage in suitable and
12 decent work or to otherwise participate in social activities, depending on their
13 preferences and capabilities.

14 **SEC. 3. *Scope and Coverage.***—NECP shall cover any person being a citizen of the
15 Philippines, who has attained the age of sixty years or above, who does not have sufficient means, as
16 determined by the State, to maintain a comfortable lifestyle.

17 **SEC. 4. *Definition of Terms.***— For purposes of this Act, the following terms shall be defined
18 as follows:

- 19 a. “Elderly” refers to any person being a citizen of Philippines, who has attained the
20 age of sixty years or above;
21
22 b. “Nursing Home” refers to establishments that provide residential care for the
23 elderly by licensed health care professionals including, but not limited to,
24 physicians, nurses, midwives, physical therapist, and caregivers;
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26 c. “Caregiver” refers to any paid person who provides help for the daily activities
27 and needs of the elderly; and
28
29 d. “Medical Support” refers to any assistance offered to the elderly for the efficient,
30 effective, and responsive delivery of medical services.

31 **CHAPTER II**
32 **THE NATIONAL ELDERLY CARE PROGRAM**

1 **SEC. 5. *The National Elderly Care Program (NECP).*** – The National Elderly Care Program
2 is the national strategy that prioritizes the distinct and special needs of the elderly through the
3 provision of adequate and quality medical care and the protection of their life and property.

4 The Department of Social Welfare and Development (DSWD) shall serve as the central
5 planning, coordinating, implementing, and monitoring body of the program.

6 In the implementation of this Act, the DSWD shall perform the following functions:

- 7 a. Formulate and implement policies, plans and programs for the welfare of the elderly;
- 8
- 9 b. Establish and maintain community-based health and rehabilitation, educational, and
10 socio-economic programs for the elderly;
- 11
- 12 c. Coordinate with different national and local government agencies, including non-
13 government organizations (NGOs), people's organizations (PO) for the elderly to ensure
14 full implementation of statutory commitments herein;
- 15
- 16 d. Coordinate with the Department of Health (DOH), including local government units
17 (LGUs), NGOs, and Pos, to institute a national health program and to provide integrated
18 health service for the elderly.

19 **SEC. 6. *Medical Support for the Elderly.*** - The State shall ensure that:

- 20 a. Government hospitals or hospitals funded fully or partially by the Government
21 shall provide beds for all elderly as far as possible;
- 22
- 23 b. Separate queues be arranged for the elderly;
- 24
- 25
- 26 c. Facility for treatment of chronic, terminal, and degenerative diseases shall be
27 expanded for the elderly;
- 28
- 29 d. Research activities for chronic elderly diseases and aging shall be expanded; and
- 30
- 31

- 1 e. There shall be an earmarked facilities for geriatric patients in every district hospital
2 duly headed by a medical officer with expertise in geriatric care.

3 **SEC. 7. *Publicity and awareness.*** – The State shall, take all measures to ensure that:

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- 5 a. The provisions of this Act shall be given wide publicity through public media
6 including the television, radio and the print, at regular intervals;
- 7
- 8 b. National and Local Government officers, including the police officers and the
9 members of the judicial service, shall be given periodic sensitization and
10 awareness training on the issues related to this Act;
- 11
- 12
- 13 c. There shall be effective coordination between the services provided by the
14 concerned government agencies dealing with law, home affairs, health and
15 welfare, to address the issues relating to the welfare of the elderly.
- 16
- 17 d. Hold educational seminars and recreational events to facilitate the maintenance
18 of elderly persons' physical and mental health, and any other program available
19 for elderly persons' voluntary and active participation (hereinafter referred to as a
20 "senior health programs").
- 21

22 **SEC. 8. *Accommodation in Nursing Homes for the Elderly***– The State shall implement the
23 following measures as the necessity arises:

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- 25 a. Allow a person who is 60 years of age or older with financial difficulties to be
26 admitted to a nursing home for the elderly;
- 27
- 28 b. In cases where the nursing home finds that it is extremely difficult to admit a person
29 who is 60 years of age or older, due to substantial physical or mental impairment to a
30 community-based facility for the elderly, the elderly must be admitted to an intensive
31 home care for the elderly;
- 32
- 33 c. Entrust a caregiver, as determined appropriate by the proper authority, to take care of
34 a person who is 60 years of age or older.
- 35

- 1 d. In case of death of the elderly and in the absence of a person to provide funeral service
2 for the elderly, the State may perform such funeral service, or may implement a
3 measure to consign the performance of such funeral service to the nursing home for
4 the elderly, intensive care home for the elderly or a consigned caregiver who had
5 accommodated or taken care of such elderly person.
6

7 **SEC. 9. *Promotion of Research and Development.*** – The State shall encourage research and
8 development on the multifaceted areas of aging:
9

- 10 a. Endeavour to promote research and development for nursing care methods that
11 respond to the psychosomatic attributes of the elderly, as well as research and
12 development for equipment to facilitate activities in elderly persons' daily lives and
13 equipment for functional training intended for use by persons suffering difficulties
14 with activities in their daily lives due to physical or mental impairment.
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16 **SEC. 10. *Advisory Council.***– An Advisory Council shall be created at the regional and
17 national levels to be headed by the DSWD.
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19 The regional advisory councils and NAC shall have, as members, representatives from
20 DSWD, Department of Health (DOH), and Department of Interior and Local Government (DILG).
21 The regional advisory councils and NAC shall also have, as additional members, two (2)
22 representatives from accredited nongovernmental organizations working and private sector
23 specializing in elderly care.
24

25 The Advisory Council shall have the following functions:
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- 27 a. Meet regularly to promote coordination across agencies to enhance the
28 implementation of the program and to resolve any implementation issues;
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30 b. Recommend to the Congress measures and policies for the efficient and effective
31 delivery of the commitments and goals under this Act and integration with the
32 general goal of the government to improve the welfare of the elderly;
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- 1
2 c. Ensure that the funding required for the commitments under this Act shall be
3 included in the annual budgets of the government agencies implementing this Act;
4 and
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6 d. Promulgate a grievance redress system and receive complaints pertinent to the
7 implementation of this Act.
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9 **SEC. 11. *Monitoring, Evaluation, and Reporting of the NECP.*** - The DSWD shall monitor
10 the implementation of the program and report its status at least once every three (3) years. The report
11 shall include the findings of the Advisory Council. The DSWD shall annually publish a full report of
12 the NECP.
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14 **SEC. 12. *Appropriations.*** - The initial amount necessary to carry out the provisions of this
15 Act shall be charged against the current appropriated funding of the DSWD and any subsequent
16 appropriations shall be included in the annual General Appropriations Act.

17 **SEC. 13. *Implementing Rules and Regulations.*** - The DSWD, in consultation with concerned
18 agencies and stakeholders, shall promulgate the implementing rules and regulations of this Act within
19 ninety (90) days from the effectivity of this Act.

20 **SEC. 14. *Repealing Clause.***—All laws, decrees, executive orders or parts thereof inconsistent
21 with the provisions of this Act is hereby repealed or modified accordingly.

22 **SEC. 15. *Separability Clause.***—If any part or provision of this Act is declared invalid or
23 unconstitutional, the other parts not otherwise affected shall remain in full effect and force.

24 **SEC. 16. *Effectivity.***—This Act shall take effect fifteen (15) days after its complete
25 publication in at least two newspapers of general publication.

Approved,