

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4201



INTRODUCED BY REPRESENTATIVE ALFRED VARGAS

EXPLANATORY NOTE

Every hour, seven (7) adults and eight (8) children die from cancer. The Philippine Statistics Authority found that cancer or neoplasms is the second leading cause of death in the Philippines amounting to 12.7% or 74,134 of total deaths in 2016; it ranks as the top cause of death for women and the third for men.

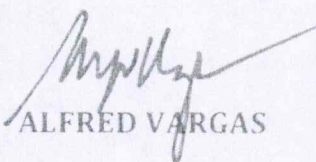
While studies show that at least 1/3 of all cancers can be prevented, not all those who are afflicted with the illness are able to access early detection measures, medical advice, treatment, and medicines. A 2015 study revealed that cancer diagnosis in Southeast Asia is considered as "potentially disastrous" as over 75% died or suffered from financial catastrophe within one year. Financial catastrophe refers to the disproportionate amount of household income spent for cancer treatment, or side-effects, leading to poorer economic circumstances. Moreover, socio-economically disadvantaged cancer patients and patients with advanced cancer stages at diagnostic were common and particularly vulnerable to adverse economic outcomes and poor survival. The Cancer Coalition Philippines found that expenses for cancer treatment in the country exceeded the mean household income which has led to almost 75% of cases discontinuing or abandoning treatment especially among the poor and middle class sectors. As such, this necessitates the need to develop effective policies that would address the burden of cancer care in country.

This bill thus seeks to create and establish a Philippine Cancer Center which would serve as a specialized institution in addressing this disease for the benefit primarily of the Filipino people. It would construct and operate a specialized cancer hospital. It also aims to facilitate and encourage the exchange of ideas and information on the prevention, treatment, and control of cancer as well as to raise, enhance, and develop public interest on cancer awareness, general health, and physical fitness. Another long-term goal should be to establish the Center as the leading cancer research institution in the country by promoting,

encouraging, and engaging in scientific research on the disease. In pursuit of this, it would create research programs focused on the detection, treatment, medical services, and clinical trials on cancer and assisting universities, hospitals, and research institutions in their studies.

This is a necessary solution in accordance with the mandate of the State, under Section 16, Article II of the Constitution, to "protect and promote the right to health of the people and instill health consciousness among them". Moreover, Section 11 of Article XIII requires the State to "adopt an integrated and comprehensive approach to health development which shall endeavour to make essential goods, health and other social services available to all the people at affordable cost with "priority for the needs of the underprivileged sick, elderly, disabled, women, and children" as well as for paupers.

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



ALFRED VARGAS

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AN ACT
CREATING THE PHILIPPINE CANCER CENTER, PROVIDING FUNDS THEREFOR
AND FOR OTHER PURPOSES

Be it enacted by the Senate and House Representatives of the Philippines in Congress assembled:

Section 1. Short Title. – This Act shall be known as the “*Philippine Cancer Center Act of 2019*”.

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 disease 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. Philippine Cancer Center. – 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 “Philippine Cancer Center”.

Section 4. Board of Trustees. – The Philippine Cancer Center 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 Philippine Center 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 Philippine Cancer Center.

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 Philippine Cancer Center 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 Philippine Cancer Center.

Section 6. *Purposes and Objectives.* – The Philippine Cancer Center 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 caner 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 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 Philippine Cancer Center. – The Philippine Cancer Center, 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 properly 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 Philippine Cancer Center;

- (f) To invite foreign cancer specialists and similar experts in the various medical fields to train the personnel or trainees or residents of the Philippine Cancer Center;
- (g) To send the personnel of the Philippine Cancer Center to research institutes, medical institutes, or universities for advance training 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 Philippine Cancer Center;
- (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 Philippine Cancer Center; 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 Philippine Cancer Center.

Section 8. Research Program. – The Philippine Cancer Center 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 off 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 Philippine Cancer Center in coordination with the Department of Health and the Commission on Higher Education, shall encourage faculties of 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 continue the necessary land, building, equipment, and facilities to the Philippine Cancer Center, 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 Philippine Cancer 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 Philippine Cancer Center 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 Philippine Cancer 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.

Section 13. Tax Exemptions. - All donations, contributions, or endowments which may be made by entities or persons to the Philippine Cancer Center 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 Philippine Cancer Center 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 Philippine Cancer Center 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 Philippine Cancer Center shall be subject to periodic auditing by the duly authorized representative of the Commission on Audit.

Section 16. *Annual Report.* – The Philippine Cancer Center shall render to Department of Health and the President of the Philippines an annual report of its activities, accomplishments, and recommendation.

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 Philippine Cancer Center 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,