

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session
4771
HOUSE BILL NO. ____

Introduced by Representative Michael L. Romero

EXPLANATORY NOTE

The incidence of heart diseases in the country and elsewhere has become widespread, causing economic dislocation and curtailing the enjoyment of normal active and productive life, it is a mandate of the State to secure the well-being of the people by providing them specialized health services.

The State shall assist and provide material and financial support in the establishment and maintenance of a Heart Center, primarily to benefit the people of the Philippines, and further enhance the noble undertaking of research in heart and associated diseases.

This House Bill seeks to create the **Clark Heart Center**, to foster specialized medical services, to promote training of medical and technical personnel for the prevention and treatment of heart and associated diseases

Thus, the early passage of this bill is earnestly requested.



MICHAEL L. ROMERO

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AN ACT

**CREATING THE CLARK HEART CENTER, 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 “*Clark
Heart Center Act*”.

**SECTION 2. CREATION OF THE CLARK HEART CENTER; BOARD
OF TRUSTEES** - There shall hereby be created Heart Center, for the benefit
primarily of the Filipino people, under the name of “*Clark Heart Center*”
hereinafter referred to as the *Heart Center*.

The *Clark Heart Center* shall be administered by a Board of Trustees, composed
of five (5) members, to be appointed by the President of the Philippines.

The Director of the Heart Center shall be appointed by the Board of Trustees.

The four (4) appointive members of the Board of Trustees shall serve without compensation for a period of four (4) years and until their successors shall have been appointed and qualified.

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

The Board of Trustees of the Heart Center shall elect a Chairman from among themselves, who shall be presiding officer of the Board of Trustees.

The Director of the Heart Center shall serve as Vice-Chairman of the Board. The Director shall act as the chief executive officer of the Heart 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 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 Heart Center.

SECTION 3. GOVERNMENT AIDS - The Government shall constitute the necessary land, building, equipment and facilities, to the Heart 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 4. ASSETS OF THE HEART CENTER - The Property of the Heart Center shall consist of such real, personal, mixed, and other type of property, now owned or reserve for, or may hereafter be given, donated, acquired, transferred or conveyed to, the Heart 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 5. MANDATES - The purposes and objectives of the Clark

Heart Center are:

1. To construct, establish, operate and maintain a heart center for the public welfare, including a specialized heart hospital;
2. To promote, encourage and engage in scientific research on the prevention of cardio-vascular diseases and the care and/or treatment of heart patients and related activities, including sponsorship and conduct of relevant congresses, conventions, seminars, and conferences;
3. To stimulate and/or underwrite scientific researches on the biological, demographic, social, economic, eugenic, physiological aspects of cardio-vascular disorders and abnormalities and their control; and gather, compile, and publish the findings of such researches for public dissemination;
4. To facilitate and encourage the dissemination and exchange of ideas and information on the prevention, treatment and control of heart diseases, to arouse, enhance and develop public interest on heart consciousness or awareness, general health and physical fitness, especially on human cardio-vascular requirements and other relevant or related fields;
5. 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 cardiac services, and related activities;

6. To assist universities, hospitals and research institutions in their studies of cardio-vascular anomalies, to encourage advanced training on matters of, or affecting the heart, and related fields and to support educational programs of value to general health;

7. 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

8. To extend medical and cardiological services to the general public, to help prevent, relieve or alleviate the innumerable cardio-vascular afflictions and maladies of the people specially the poor and less fortunate in life, without regard to race, creed, color or political belief.

SECTION 6. POWERS AND FUNCTIONS - For the attainment and/or furtherance of the above purposes and objectives, the Heart Center, 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:

1. 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;

2. To contract and be contracted with;

3. To mortgage, lease, sell, transfer, convey or otherwise dispose of its properties;

4. 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;
5. 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 Heart Center;
6. To invite foreign heart specialists and similar experts in the various medical fields to train the personnel or trainees or residents of the Heart Center;
7. To send the personnel of the Heart Center 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 Heart Center;
8. 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 Heart Center; and
9. 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 Heart Center.

SECTION 7. TAX EXEMPTIONS - All donations, contributions or grants which may be made by entities or persons to the Heart 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 prevailing provisions of the *National Internal Revenue Code*, as amended.

The Heart Center shall 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 years.

All income earned by foreign doctors who shall use the facilities of the Heart Center shall be tax exempt for a period of ten years from the date of issuance hereof.

SECTION 8. ASSISTANCE FROM GOVERNMENT OFFICES - The Heart 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 Heart Center in the accomplishment of its objectives and activities.

SECTION 9. APPROPRIATIONS - The amount of Five Billion pesos (**P5,000,000,000.00**) is hereby appropriated as contributions of the National Government for the initial operations and maintenance of the Heart Center.

Thereafter, the necessary amount to support the continued operation and maintenance of the Heart Center shall be appropriated and released, subject to the approval of the President of the Philippines.

SECTION 10. AUDITING - The books and accounts of the Heart Center shall be subject to periodic auditing by the Chairperson of the Commission on Audit, or his duly authorized representative.

SECTION 11. ANNUAL REPORT - The Heart Center shall render to the President of the Philippines an annual report of its activities and recommendations.

SECTION 12. DISSOLUTION OF THE CENTER - If, for any reason, the Heart 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 13. TRANSITORY PROVISION - Existing industries, businesses and offices affected by the implementation of this Act shall be given six (6) months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 14. IMPLEMENTING RULES AND REGULATIONS. - The departments and agencies charged with carrying out the provisions of this Act shall, within sixty (60) days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 15. REPEALING CLAUSE. - All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 16. SEPARABILITY CLAUSE. - If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 17. EFFECTIVITY CLAUSE. - This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,