



REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
QUEZON CITY



TWENTIETH CONGRESS
First Regular Session

House Bill No. 272

Introduced by Representative SHIRLYN L. BAÑAS-NOGRALES

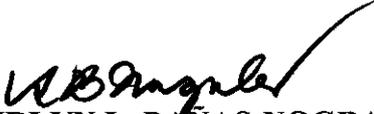
EXPLANATORY NOTE

This bill seeks to establish a College of Medicine on the campus of Mindanao State University, General Santos City, and the very first-ever public medical school in Region XII.

The establishment of Mindanao State University College of Medicine in General Santos City will surely provide bright opportunity for the poor but deserving students in Southern Philippines to acquire excellent medical education and training from a State university not only because of the proximity of this learning institution to their residence but also because of the very minimal cost they would incur to becoming Doctors of Medicine.

The enactment of this bill shall pave the way for the separation of the administration of Mindanao State University College of Medicine from, and as an extension program of, the Mindanao State University (MSU)-Marawi College of Medicine in Iligan City. This is to ensure autonomy of the College of Medicine from its main campus and a chance for the Mindanao State University, General Santos City, to prove its worth in the administration of an independent medical degree course.

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


SHIRLYN L. BAÑAS-NOGRALES



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AN ACT
ESTABLISHING THE COLLEGE OF MEDICINE IN MINDANAO
STATE UNIVERSITY – GENERAL SANTOS CITY, PROVIDING FOR
ITS GOVERNANCE, APPROPRIATING FUNDS THEREFOR,
AND FOR OTHER PURPOSES

Introduced by Representative SHIRLYN L. BAÑAS-NOGRALES

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

Section 1. Establishment of Mindanao State University College of Medicine in General Santos City. – The existing College of Medicine Extension Program in Mindanao State University (MSU) – General Santos City is hereby made independent from the MSU College of Medicine-Marawi, and shall henceforth be known as Mindanao State University – General Santos City College of Medicine.

Section 2. General Mandate. – The MSU-General Santos City College of Medicine, hereinafter referred to as the "College", shall primarily offer a Doctor of Medicine Program, including the Integrated Liberal Arts and Medicine (INTARMED) Program, consisting of basic science and clinical courses, and using learner-centered and competency-based approach. The primary goal of the College shall be to develop a corps of professional physicians to strengthen the healthcare system of the country, as well as to respond to the human resource development needs of the City of General Santos and Region XII. The College is also mandated to undertake research and extension services and provide progressive leadership in these areas.

Section 3. Governance. – Being an institution within the MSU System, the governance of the College shall be vested in the Board of Regents of the MSU, hereinafter referred to as the Board, whose powers are defined under Republic Act No. 3791, entitled "An Act to Amend Republic Act Numbered Thirteen Hundred and Eighty-Seven Providing for the Establishment of the University of Mindanao in Dansalan City, as Amended by Republic Act Numbered Eighteen Hundred and Nine-Three, so as to Change the Name of the University of Mindanao to Mindanao State University and to Grant a Permanent Site to the Said University," as amended by Republic Act No. 3868, entitled "An Act to Amend Certain Provisions of Republic Act Numbered Thirteen Hundred and Eighty-Seven, as Amended by Republic Act Numbered Eighteen Hundred Ninety-three, Relating to the Composition and Powers of the Board of Regents of the Mindanao State University, and for Other Purposes", and other applicable laws and regulations, unless otherwise provided or amended elsewhere in this Act.

Section 4. Administration. – The administration of the College is vested in the Chancellor of the Mindanao State University – General Santos City Campus insofar as authorized by the Board of Regents and the President of the University.

Section 5. The College Dean. – The College faculty shall be headed by a Dean. The Dean shall be elected by the Board of Regents upon recommendation of the Chancellor, following a process of consultation with the constituents of the College based on standards and guidelines set by the Board. The Dean shall serve for a term of three (3) years and shall be eligible for reappointment for another term.

Within six (6) months upon the effectivity of this Act, the Chancellor shall constitute the Search Committee for Deanship.

In case of a vacancy in the Office of the Dean, as mentioned in the immediately preceding paragraph, the successor shall serve only for the unexpired portion of the term.

The powers and duties of the Dean of the College, in addition to those specifically provided in this Act, shall be those usually pertaining to the Office of the Dean of similar state universities and those delegated by the Chancellor.

The salary of the Dean of the College shall be in accordance with his/her existing professorial rank and with the Revised Compensation and Position Classification System and shall be comparable to that being received by the deans of similar educational institutions.

The Dean of the College shall be assisted by a College Secretary, who shall be appointed by the Chancellor.

Section 6. The Faculty. – The Board of Regents shall appoint, upon the recommendation of the Chancellor and the nomination by the President of the University, the faculty members of the College: *Provided*, That no political belief, gender preference, cultural or community affiliation or ethnic origin, and religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the College: *Provided, further*, That said appointment shall be subject to the guidelines, qualifications and/or standards set by the Board of Regents.

Section 7. Scholarship Program and Admission. – The College shall provide for scholarship programs and other affirmative action programs to assist poor but deserving students who qualify for admission to the College. No student shall be denied admission to the College by reason of sex, religion, cultural or community affiliation, or ethnic origin.

Section 8. Academic Freedom and Institutional Autonomy. – The College shall enjoy academic freedom and institutional autonomy, pursuant to paragraph 2, Section 5 of Article XIV of the 1987 Constitution of the Republic of the Philippines.

Section 9. Authority to Loan or Transfer Apparatus/Equipment/Supplies and Detail of Personnel. – The heads of the bureaus and offices of the national government are hereby authorized to loan or transfer, upon the recommendation of the Chancellor and the request of the Board of Regents through its President, such apparatuses, equipment or supplies as may be needed by the College, and to detail employees for duty therein when, in the judgment of the head of the bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without serious detriment to public service.

The employees so detailed shall perform such duties as required of them by the Dean of the College, and the time so employed shall be counted as part of their regular services.

Section 10. Tax Exemptions. – The Mindanao State University College of Medicine shall be entitled to the following tax exemptions:

- a) All revenues and assets of the College used exclusively and solely for educational purposes or in furtherance thereof shall be exempt from all taxes and duties;
- b) All grants, bequests, endowments, donations and contributions made to the College to be used actually, directly and exclusively by the College shall be exempt from donor's tax and the same shall be allowed as allowable deductions from the gross income of the donor for purposes of computing the taxable income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997 (NIRC), as amended;
- c) Importation of medical books or publications, medical equipment or instruments which are for medical, laboratory or scientific purposes made by the College upon certification by the Commission on Higher Education (CHED), shall be exempt from customs duties in accordance with the provisions of Republic Act 10863, otherwise known as the "Customs Modernization and Tariff Act";
- d) The College shall be exempt from value-added tax as provided for in Section 109(1)(h) of the NIRC, as amended; and
- e) All educational monetary awards shall be exempt from income tax as prescribed in Section 32(B)(7)(c) of the NIRC, as amended.

Section 11. Assets, Liabilities and Personnel. – All existing appropriations, assets, real and personal, personnel and records of the Mindanao State University College of Medicine Extension Program, as well as the liabilities or obligations, are hereby transferred to the Mindanao State University – General Santos City College of Medicine. The positions, rights, and security of tenure of faculty members and personnel therein employed under existing laws or resolutions prior to the enactment of this Act shall be respected.

All parcels of land belonging to the government occupied by the College campus are hereby declared to be property of the University, for the use and benefit of the College in sole furtherance of its academic mission as provided in this Act.

Section 12. Supplementary Application. – The provisions of Republic Act 8292, otherwise known as the "Higher Education Modernization Act of 1997," shall be an integral part of this Act.

Section 13. Parity Clause. – All other powers, functions and privileges, responsibilities, and limitations to State Universities and Colleges (SUCs) and their officials under existing laws shall be deemed granted to or imposed upon the College and its officials, whenever appropriate.

Section 14. Appropriations. – The amount needed to carry out the implementation of this Act shall be charged against the appropriations for the current fiscal year and other internal funds of the Mindanao State University. Thereafter, such sums representing the responsibility of the national government for the continued growth, operation and maintenance of the College shall be included in the annual General Appropriations Act (GAA).

To further strengthen the capacity of the College in medical science, research, and instruction, in addition to the regular appropriations and increases for the College under the annual GAA, an MSU–General Santos City College of Medicine Fund shall be appropriated in the amount of Ten Million Pesos (₱10,000,000.00) per year for a period of five years, which shall likewise be included in the annual GAA. Such fund shall be disbursed by the Board of Regents strictly in accordance with the purposes of this Act.

Section 15. Promulgation and Implementation of Policies. – The Board of Regents shall, within sixty (60) days from effectivity of this Act, promulgate and implement policies in accordance with the declared State policy on health and other pertinent provisions of the 1987 Constitution on health, as well as the policies, standards and thrusts of the CHED under Republic Act 7722, otherwise known as the "Higher Education Act of 1994".

Section 16. Separability Clause. – If, for any reason or reasons, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected thereby shall remain in full force and effect.

Section 17. Repealing Clause. – All laws, presidential decrees, resolutions, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 18. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,