

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **1592**



Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**

EXPLANATORY NOTE

Overseas Filipino Workers (OFWs) have long been recognized as modern-day heroes for their invaluable contributions to the Philippine economy through remittances and sacrifices made for the welfare of their families and the nation. Despite this, OFWs continue to face various challenges, particularly in accessing affordable and quality health care, both before deployment and upon their return to the country. Many OFWs and their dependents suffer from the lack of specialized health services that address their unique needs as migrant workers.

This bill seeks to establish the Overseas Filipino Workers hospital that will protect the interest and well-being of our overseas workers. This bill has already been approved by the House of Representatives on its 3rd and final reading in the 17th Congress. Considering, however, the significance of this bill in recognizing the welfare of the overseas Filipino workers, it is imperative that this bill be filed.

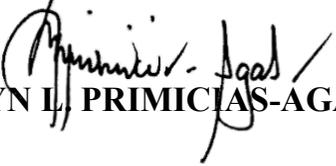
The State recognizes the indispensable role of the overseas contract workers to nation development. To this end, the Philippines has even ratified the UN Convention on the Rights of Migrants Workers and their Families in 1995. Republic Act 8042 was even passed to “institute the policies of overseas and establish a higher standard of protection and promotion of the welfare of migrant workers, their families and overseas Filipinos in distress.” Section 2 (c) of the said law states that “(w)hile recognizing the significant contribution of Filipino migrant workers to the national economy through their foreign exchange remittances, the State does not promote overseas employment as a means to sustain economic growth and achieve national development. The existence of the overseas employment program rests solely on the assurance that the dignity and fundamental human rights and freedom of the Filipino citizens shall not, at any time be compromised or violated. The State, therefore, shall continuously create local employment opportunities and promote the equitable distribution of wealth and the benefits of development.”

We are fully cognizant of the fact that a good number of our migrant workers, because of unfavorable working conditions abroad, come back to our country in destitute. Some of whom are even debilitated. It is, thus, necessary that their dignity and fundamental rights to equitable distribution of wealth and benefits be secured. This can be assured with the establishment of a tertiary hospital that will cater to the needs of our migrant workers and their dependents.

By passing this measure, Congress will institutionalize a long-overdue support system that acknowledges the vital role of OFWs and guarantees their access to dignified and responsive health care. It is a concrete step toward ensuring that those who work abroad for their families and country receive the care and support they deserve at home.

In full recognition of the contributions of our migrant workers, the approval

of this bill is earnestly sought.


MARLYN I. PRIMICIAS-AGABAS

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AN ACT
ESTABLISHING THE OVERSEAS FILIPINO WORKERS HOSPITAL AND
APPROPRIATING FUNDS THEREFOR

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 "Overseas Filipino Workers (OFW) Hospital Act or OFW Hospital Act."

SEC. 2. *Declaration of Policy.* - It is policy of the State to protect and promote the right to health of the Filipino people and to instill health consciousness among them. The State shall adopt an integrated and comprehensive approach to health development. Further, the State shall protect the interest and promote the well-being of overseas Filipino workers (OFW) as recognition of their importance and contribution to economic development and nation building.

SEC. 3. *Establishment of the OFW Hospital.* - There shall be established a hospital with at least tertiary level of care to be known as OFW Hospital, hereinafter referred to as the Hospital. The Hospital shall be developed consistent with the health care needs of the OFW and their dependents. The Hospital shall be under the full administrative and technical supervision of the Department of Health (DOH).

SEC. 4. *Objectives.* - To ensure the availability, accessibility and affordability of quality health care, the Hospital shall have the following main objectives:

- (a) Provide comprehensive and total health care services to all migrant workers including Overseas Workers Welfare Administration (OWWA) contributors, whether active or non-active, and their legal dependents;
- (b) Conduct medical examinations to ensure the physical and mental capability of would-be overseas contract workers duly covered by an approved job order;
- (c) Serve as primary referral hospital for repatriated OFW needing medical assistance and support;
- (d) Set up systems that will effectively monitor condition of patients and to

generate relevant health information and data for policy formulation; and

(e) Participate in the health care provider networks and arrangements relative to the implementation of Republic Act No. 11223, or the “Universal Health Care Act”.

SEC. 5. *Medical Assistance.* - The Secretary of Labor and Employment (DOLE), as Chairperson of the Overseas Workers Welfare Administration (OWWA) Board, shall ensure that existing health benefits and medical assistance programs are strengthened to include, among others, subsidies on hospitalization and medical procedures for OFW and qualified dependents.

SEC. 6. *Joint Executive Oversight Committee.* - There is hereby created a Joint Executive Oversight Committee on OFW Hospital to review and recommend hospital development plans and ensure implementation of this Act.

The Committee shall be co-chaired by the Secretary of Health and the Secretary of Labor and Employment. It shall be composed of seven (7) members including the co-chairs. The members shall be appointed by the Secretary of Health upon consultation with the Secretary of Labor and Employment.

SEC. 7. *Tax Exemption.*- All grants, bequests, endowments, donations and contributions made to the OFW Hospital to be used actually, directly and exclusively by the OFW Hospital shall be exempt from donor’s tax and the same shall be considered as allowable deduction from the gross income of the donor, in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

The importation of equipment, machinery and spare parts which are used solely and exclusively for the operation of the OFW Hospital and are not available locally shall be exempt from value-added tax and customs duty.

SEC. 8. *Appropriations.* - The Secretary of Health shall include in the Department’s program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act. The OWWA shall also include in their benefits and medical assistance programs for OFW the line item budget necessary to improve the access of OFW and dependents to health care services.

SEC. 9. *Implementing Rules and Regulations.* - Within sixty (60) days from the approval of this Act, the DOH, in coordination with DOLE, OWWA, Philippine Overseas Employment Administration (POEA) and other stakeholders, shall promulgate the implementing rules and regulations (IRR) to carry out the provisions of this Act.

SEC. 10. *Separability Clause.* - If any provision of this Act is held invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SEC. 11. *Repealing Clause.* - All other laws, decrees, executive orders, and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 12. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the *official Gazette* or in a newspaper of general circulation.

Approved