

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE SECRETARY

10 JUL -1 A8:52

SENATE
S.B. No. 8

RECEIVED BY: 

Introduced by Senator Loren Legarda

EXPLANATORY NOTE

This bill seeks to create a hospital dedicated to overseas Filipino workers and their dependents.

Section 3, Article XIII of the 1987 Philippine Constitution states that the State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all. Pursuant to this, Republic Act No. 8042 otherwise known as the Migrant Workers and Overseas Filipinos Act of 1995 was enacted to implement this State policy.

Data from the Bureau of Labor and Employment Statistics reveal that as of year-end 2009, there were 1,422,586 Filipinos deployed for overseas employment, generating US\$17.348 Billion worth of remittances.

Due to differing culture, working conditions and upper-hand nature of overseas employers characterizing overseas employment, overseas Filipino workers often find themselves vulnerable to abuse, discrimination and exploitation. Some of them come home with poor health conditions that need immediate attention. Based on statistics, about 42% of all repatriated OFWs returned to the Philippines needing medical attention or hospital confinement for various physical or mental illnesses sustained abroad.

This bill seeks to address the health needs of overseas Filipino workers by creating a hospital that exclusively caters to them. This proposed measure also aims to complement the present package of health services provided by OWWA so as to include supplementary provisions for preventive, promotive, diagnostic and rehabilitative programs so that a comprehensive/total health care for OFWs and their dependents can be had.

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



LOREN LEGARDA
Senator

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**AN ACT
ESTABLISHING A SPECIAL HOSPITAL FOR OVERSEAS FILIPINO
WORKERS (OFWS) AND THEIR DEPENDENTS, APPROPRIATING FUNDS
THEREFOR AND FOR OTHER PURPOSES**

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

1 **SECTION 1. *Title.*** - This Act shall be known as the "Migrant Workers
2 **Hospital Act of 2010".**

3
4 **SEC. 2. *Declaration of Policy*** - It is the policy of the State to adopt an
5 integrated and comprehensive approach to health development, which shall
6 endeavor to make essential goods, health and other social services available to all
7 people at affordable cost. Further, the State shall protect the interest and promote the
8 well-being of Filipino overseas workers including their families and dependents
9 through the provision of social and welfare services.

10
11 **SEC. 3. *Creation of Special Hospital.*** - Towards this end, there is hereby
12 created a special hospital to be known as the Migrant Workers Hospital, which shall
13 be under the supervision and control of the Overseas Workers Welfare
14 Administration (OWWA).

15
16 **SEC. 4. *Objectives.*** - To ensure the availability, accessibility and affordability
17 of quality health care, Migrant Workers Hospital shall:

- 18
19 a) Provide for a comprehensive/total health care services to all migrant workers
20 who are OWWA contributors including their dependents;

- 1 b) Complement the existing package of services under the Health Care Program
2 to include preventive, promotive, diagnostic, curative and rehabilitative
3 programs;
- 4 c) Conduct medical examination to ensure the physical and mental capability of
5 all the would-be overseas Filipino workers duly covered by an approved job
6 order;
- 7 d) Set-up a system that will effectively monitor the condition of patients and to
8 generate relevant information and data in aid of policy formulation.

9

10 **SEC. 5. Administration and Composition of Board Members.** - Upon the
11 effectivity of this Act, the powers and the administration of the Migrant Workers
12 Hospital shall be vested in a Board, which is composed of the following members:

- 13
- 14 a) The Secretary of the Department of Labor and Employment as *Ex-Officio*
15 Chairman;
- 16 b) The Administrator of the Overseas Workers Welfare Administration as *Ex-*
17 *Officio* Vice Chairman;
- 18 c) The Secretary of the Department of Health as *Ex-Officio* Member;
- 19 d) The Secretary of the Department of Social Welfare and Development as *Ex-*
20 *Officio* Member;
- 21 e) The Administrator of the Philippine Overseas Employment Administration as
22 *Ex-Officio* Member;
- 23 f) Two (2) representatives from OFWs sector (one from landbased and another
24 from sea-based) as Members.

25 The two representatives from the OFWs sector shall be appointed by the
26 President of the Philippines from a list of nominees submitted by the *Ex-*
27 *Officio* Chairman. The representatives appointed shall serve for a term of
28 three (3) years without re-appointment.

29

30 **SEC. 6. Responsibilities and Powers.** - The Board of Directors of the Migrant
31 Workers Hospital shall have the following responsibilities and powers:

- 32
- 33 a) To formulate and implement measures and programs to attain the Migrant
34 Workers Hospital's objectives and purposes as enunciated in Section 4 of this
35 Act;

- 1 b) To enter into agreements and contracts in connection with its establishment,
2 maintenance, operations and objectives;
- 3 c) To issue rules and regulations to carry out the objectives and purposes of this
4 Act;
- 5 d) To perform such other duties and functions as may be provided by law.
- 6

7 **SEC. 7. *Implementing Rules and Regulations.*** - The Board shall adopt rules
8 and regulations to implement the provisions of this Act within sixty (60) days from
9 the date of its approval.

10

11 **SEC. 8. *Appropriation.*** - In addition to the seed money held in trust by the
12 OWWA, the National Government shall contribute the amount necessary for the
13 establishment and initial operation of the Migrant Workers Hospital, which shall be
14 taken from the National Treasury not otherwise appropriated. Subsequently, its
15 appropriation shall be included in the annual General Appropriations Act (GAA).

16

17 **SEC. 9. *Assistance from Government Offices.*** - The Migrant Workers Hospital
18 may call upon any department, bureau, office, agency or instrumentality of the
19 Government, including government owned or controlled corporations, for such
20 assistance as it may need in the pursuit of its purposes and objectives.

21

22 **SEC. 10. *Exemption from Donor's Taxes, Customs and Tariff Duties.*** - All
23 donations, contributions or endowments which may be made by persons or entities
24 to the hospital and the importation of medical equipment and machineries, spare
25 parts and other medical equipment not hereto mentioned used solely and
26 exclusively for the Migrant Workers Hospital shall be exempt from income, gift,
27 direct and indirect taxes, wharfage fees, and other charges and restrictions.

28

29 **SEC.11. *Annual Report.*** - The Migrant Workers Hospital shall render to the
30 President of the Philippines, to the Senate and to the House of Representatives an
31 annual report of its activities and recommendations.

32

33 **SEC. 12. *Congressional Oversight Committee.*** - A Congressional Oversight
34 Committee, herein after referred to as the "Committee", is hereby constituted in
35 accordance with the provisions of this Act. The Committee shall be composed of the
36 Chairman of the Senate Committee on Labor, Employment and Human Resources

1 Development and the Chairman of the House of Representatives Committee on
2 Overseas Workers Affairs and four (4) additional members from each House to be
3 designated by the President of the Senate and the Speaker of the House of
4 Representatives, respectively. The Committee shall, among others in aid of
5 legislation:

6

- 7 a) Monitor and ensure the proper implementation of this Act;
- 8 b) Review the performance of the hospital; and
- 9 c) Review the proper implementation of the programs of the Hospital and the
10 use of its fund.

11

12 In furtherance of the herein above cited objectives, the Committee is
13 empowered to require the hospital to submit all pertinent information including but
14 not limited to its performance data and its annual audited financial statement
15 certified by the Commission on Audit.

16

17 **SEC. 13. Repealing Clause** -All laws, decrees, executive orders, rules and
18 regulations or part thereof deemed inconsistent with the provisions of this Act are
19 hereby repealed or modified accordingly.

20

21 **SEC. 14. Effectivity Clause** -This Act shall take effect fifteen (15) days after its
22 publication in at least two (2) newspapers of general circulation.

23

24 Approved,