

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

22 JUL 14 10:35

SENATE

RECEIVED BY: 

S. B. NO. 566

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Introduced by **SENATOR JOEL VILLANUEVA**

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**AN ACT ESTABLISHING SPECIAL HEALTH FACILITIES FOR  
OVERSEAS FILIPINO WORKERS (OFWS) AND THEIR  
DEPENDENTS TO BE KNOWN AS BAGONG BAYANING FILIPINO  
HOSPITAL, APPROPRIATING FUNDS THEREFOR AND FOR OTHER  
PURPOSES**

**EXPLANATORY NOTE**

Data from the Philippine Overseas Employment Administration (POEA) the total number of overseas Filipino workers (OFWs) who were deployed in 2021 alone is around 742,796. Meanwhile, data from the Department of Labor and Employment's (DOLE) shows that as of December 2020, there are 8,874,472 OFWs living and working abroad, of which 3.50 million are documented workers, 1.58 million are undocumented workers, and 3.80 million are permanent migrants. OFWs' total remittances in 2020 and 2021 amounted to USD29.903 Billion and USD31.418 Billion, respectively, which translates to a significant contribution to our economy.<sup>1</sup>

Filipino overseas workers are, indeed, the country's *bagong bayani*: they risk their lives to work in other countries to send money to their families in the Philippines. Their remittances and contributions to our economy continue to be one of the drivers of the country's growth and progress. However, our OFWs face new challenges when they arrive home from their work abroad. For instance, in 2017, the NMC Hospital in Abu Dhabi found that there are as many as 1,000 Filipinos who are diagnosed with cancer from the United Arab Emirates.<sup>2</sup> The Davao office of Overseas Worker Welfare Association, meanwhile, found that OFWs are prone to suffer from hypertension, heart attack, breast, and ovarian cancers, which could either be diagnosed during their work abroad or upon their return back home.<sup>3</sup>

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<sup>1</sup> Bangko Sentral ng Pilipinas, Overseas Filipinos' Cash Remittances, accessible at <https://www.bsp.gov.ph/Statistics/External/Table%2011.pdf>? (last accessed July 7, 2022).

<sup>2</sup> Ryan Songalia, Around 1,000 OFWs diagnosed with cancer in UAE every year – doctors, accessible at <https://www.rappler.com/nation/192112-uae-ofws-cancer-1000-every-year/> (last accessed July 7, 2022).

<sup>3</sup> OFWS medical assistance program to launch in January, accessible at <https://www.sunstar.com.ph/article/111291/ofws-medical-assistance-program-to-launch-in-january>; (last accessed July 7, 2022).

This bill seeks to give priority to the millions and millions of hardworking Filipino overseas workers and their dependents by establishing a hospital to be known as Bagong Bayaning Filipino Hospital. This bill also mandates the establishment of regional hospitals that will prioritize the needs of the OFWs and their dependents. This bill will also complement the newly constructed OFW Hospital in San Fernando City, Pampanga, created by Executive Order No. 154, series of 2021, which opened in May 2022.

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


A handwritten signature in black ink, appearing to read 'Joel Villanueva', with a circular stamp or mark to the right of the signature.

**SENATOR JOEL VILLANUEVA**



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**AN ACT ESTABLISHING SPECIAL HEALTH FACILITIES FOR  
OVERSEAS FILIPINO WORKERS (OFWS) AND THEIR DEPENDENTS  
TO BE KNOWN AS BAGONG BAYANING FILIPINO HOSPITAL,  
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. Short Title.** – This Act shall be known as the “Bagong Bayaning  
2 Filipino Hospital Act.”  
3
- 4           **SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the State to  
5 adopt an integrated and comprehensive approach to health development which shall  
6 endeavor to make health, overall wellness, and other important social services available  
7 to all the people at affordable cost. Toward this end, the State shall protect the right to  
8 health and promote and enhance the welfare and well-being of overseas Filipino workers  
9 and their dependents through the provision of personal healthcare and social welfare  
10 services.  
11
- 12           **SEC. 3. Definition of Terms.** – As used in this Act, the following terms shall have  
13 the following meaning:  
14
- 15 a) **Overseas Filipino Worker (OFW)**, as defined under Republic Act No. 11641,  
16 otherwise known as the “Department of Migrant Workers Act,” shall refer to a person  
17 who is to be engaged, is engaged, or has been engaged in a remunerated activity  
18 in a country of which he or she is not an immigrant, citizen, or permanent resident,  
19 or is not awaiting naturalization, recognition, or admission, whether land-based or  
20 sea-based regardless of status; excluding a Filipino engaged under a government-  
21 recognized exchange visitor program for cultural and educational purposes. For  
22 purposes of this provision, a person engaged in a remunerated activity covers a  
23 person who has been contracted for overseas employment but has yet to leave the  
24 Philippines, regardless of status, and includes “Overseas Contract Workers.”  
25
- 26 b) **Dependent/s** shall refer to any of the following:  
27

- 1
- 2 1) The legal spouse entitled by law to receive support from the OFW;
- 3
- 4 2) The legitimate, legitimated, legally adopted, and/or illegitimate child, who is
- 5 unmarried, not gainfully employed, and not over the age of majority, or if over the
- 6 age of majority but incapacitated and incapable of self-support due to a mental
- 7 or physical defect; or
- 8
- 9 3) The parents who rely primarily upon the OFW for support.

10

11 c) **Health facility** shall refer to a facility that is devoted primarily to the provision of

12 services for health promotion, prevention, diagnosis, treatment, rehabilitation, and

13 palliation of individuals suffering from illness, disease, injury, disability, or deformity,

14 or are in need of obstetrical or other medical and nursing care, as well as the

15 provision of mental health care services.

16

17 **SEC. 4. Creation of Special Health Facility for Overseas Filipino Workers and**

18 **their Dependents.** – There is hereby created a special health facility for OFWs, to be

19 known as Bagong Bayaning Filipino Hospital (the “Hospital) to be located in the National

20 Capital Region, or in any province as may be determined by the Department of Migrant

21 Workers (DMW), in consultation with the Department of Health (DOH) and other

22 concerned government agencies and stakeholders.

23

24 The Hospital shall primarily cater to the physical, mental, and overall well-being of

25 OFWs and their dependents.

26

27 The Hospital shall be under the control and supervision of the DOH; *Provided*, That

28 in the performance of its mandate as herein provided, the DOH shall closely coordinate

29 with the DMW and its attached agencies with regard the medical and mental needs of the

30 OFWs and their dependents, as provided under Section 15(n) of the Department of

31 Migrant Workers Act.

32

33 **SEC. 5. Regional Hospitals.** – Within five (5) years from the effectivity of this Act,

34 the DOH, in coordination with DMW and other relevant agencies, and in accordance with

35 appropriate health facility development and health human resource plans, shall establish

36 regional hospitals in Luzon, Visayas and Mindanao to cater to the needs of overseas

37 Filipino workers and their dependents who are located in these regions.

38

39 **SEC. 6. Prioritization and Additional Health Coverage of Overseas Filipino**

40 **Workers and their Dependents.** – Each of the Hospitals to be established under this

41 Act shall provide an express or priority lanes for OFWs and their dependents. They shall

42 be given priority in the assignment of hospital beds, without prejudice to the rules on

43 emergency cases, as may be determined by the DOH and the Hospital Administrator.

44

45 Pursuant to the objectives of this Act, the Overseas Workers Welfare

46 Administration (OWWA) shall broaden the existing medical assistance given to duly

47 registered OWWA members and their dependents, and as far as practicable, endeavor to

48 make the hospitalization, confinement, medical treatment, and medical care of duly

49 registered OWWA members in the Hospital or any of its regional hospitals free of charge.

50 However, nothing in this Act shall be construed to diminish or reduce the existing benefits

51 of OFWs and their dependents provided under Republic Act No. 11223, otherwise known

52 as the Universal Health Care Act.

53

1           **SEC. 7. Administration and Composition of Board Members.** – The day-to-day  
2 operations of the Hospital shall be overseen by an Administrator to be appointed by the  
3 Board.

4  
5           The powers and the administration of the Hospital shall be vested in a Board.

6  
7           a) *Composition* – The Board shall be composed of the following members:

- 8  
9           1) The Secretary of the DMW as Chairperson;  
10  
11           2) The Secretary of the DOH as Co-Chairperson;  
12  
13           3) The Administrator of the OWWA as member;  
14  
15           4) The Administrator of the Philippine Overseas Employment Administration  
16           (POEA) as member, pending the full transition and integration of POEA into  
17           the DMW;  
18  
19           5) One (1) representative from land-based OFWs;  
20  
21           6) One (1) representative from sea-based OFWs; and  
22  
23           7) The Administrator of the Bagong Bayaning Filipino Hospital as *ex officio*  
24           member.

25  
26           The Board chairpersons and members may designate their representatives,  
27           who must be next-in-rank to the principal member, and fully authorized to  
28           decide for and on their behalf.

29  
30           The representatives of land-based and sea-based OFWs shall be appointed by  
31           the President from a list of nominees submitted by the Chairperson. Such  
32           nominees must at least be forty (40) years of age, and an OFW with at least  
33           three (3) years of work experience abroad at the time of his or her nomination.

34  
35           b) *Term* – The members of the Board shall have a term of three (3) years without  
36           reappointment. Except for members whose terms shall be co-terminus with  
37           their respective positions in government, any vacancy in the Board shall be  
38           filled in the manner in which the original appointment was made and the  
39           appointee shall serve only the unexpired term of his predecessor.

40  
41           c) *Meetings and Quorum* – The Board shall hold regular meetings at least once a  
42           month. Special meetings may be convened at the call of the Chairperson or by  
43           a majority of the members of the Board. The presence of four (4) voting  
44           members shall constitute a quorum. In the absence of the Chairperson and Co-  
45           Chairperson, a temporary presiding officer shall be designated by the majority  
46           of the members present during such meeting.

47  
48           d) *Allowances and Per Diems* – The members of the Board shall receive a  
49           reasonable *per diem* for every meeting actually attended subject to the pertinent  
50           budgetary laws, rules and regulations on compensation, honoraria and  
51           allowances.  
52

1           **SEC. 8. Responsibilities and Powers.** – The Board of Directors of the Hospital  
2 shall have the following responsibilities and powers:

- 3
- 4           a. To formulate and implement measures and programs to attain the objectives and  
5 purposes of the Hospital, with due regard to giving utmost priority and providing  
6 the best quality of service to OFWs and their dependents;
- 7
- 8           b. To formulate and promulgate policies for the sound administration, maintenance,  
9 and operations of the Hospital;
- 10
- 11           c. To determine the staffing pattern of the Hospital, subject to the approval by the  
12 Department of Budget and Management;
- 13
- 14           d. To appoint the officials, employees, and other personnel of the Hospital and the  
15 regional hospitals, subject to civil service laws, rules and regulations, and to  
16 prescribe their duties and fix their compensation, subject to the provisions of  
17 Republic Act No. 6758, otherwise known as the “Compensation and Position  
18 Classification Act of 1989” as further amended by related laws modifying the salary  
19 schedule of government personnel;
- 20
- 21           e. To enter into agreements and contracts in connection with its establishment,  
22 maintenance and operations of the Hospital;
- 23
- 24           f. To formulate and implement guidelines on the proper disposition of contributions,  
25 donations, bequests, subsidies or financial aids/assistance received by the  
26 Hospital; and
- 27
- 28           g. To perform such other duties and functions as it may deem appropriate for the  
29 attainment of the objectives of the Hospital.
- 30

31           **SEC. 9. Referral System.** – The DMW and OWWA shall establish a referral  
32 system with the Hospitals and its regional hospitals to ensure proper delivery of services  
33 to qualified overseas Filipino workers and their dependents.

34

35           **SEC. 10. Pre-employment Medical Examinations for OFWs.** – The DOH and  
36 the DMW shall, as far as practicable, develop a system to allow and facilitate the conduct  
37 of all pre-employment medical examinations of departing OFWs in the Hospital and its  
38 regional hospitals.

39

40           **SEC. 11. Implementing Rules and Regulations.** – Within sixty (60) days from the  
41 effectivity of this Act, the DMW and DOH, in consultation with relevant government  
42 agencies and other stakeholders, shall promulgate the rules and regulations for the proper  
43 implementation of this Act.

44

45           **SEC. 12. Appropriations.** – A sum of One Billion Pesos (Php1,000,000,000.00) is  
46 hereby appropriated to fund the initial budgetary requirements of this Act. Thereafter, the  
47 budget for the Hospital and its regional hospitals shall be included in the annual General  
48 Appropriations Act (GAA).

49

50           **SEC. 13. Exemption from Donor’s Taxes, Customs, and Tariff Duties.** – All  
51 donations, contributions or endowments which may be made by persons or entities to the  
52 Hospital and its regional hospitals and for the proper implementation of this Act shall be

1 exempted from donor's tax. The importation of medical equipment and machineries, spare  
2 parts, and other medical equipment for the exclusive use of the Bagong Bayaning Filipino  
3 Hospital shall be exempted from payment of customs duties, other direct and indirect  
4 taxes, wharfage fees, and other charges and restrictions.  
5

6 **SEC. 14. Annual Report.** – The Hospital shall submit an annual report within thirty  
7 (30) days from the end of each calendar year of its activities, programs, projects,  
8 accomplishments and recommendations for improvement to the Congressional Oversight  
9 Committee on Migrant Workers created under Section 25 of the Department of Migrant  
10 Workers Act.  
11

12 **SEC. 15. Separability Clause.** – Any portion or provision of this Act that is  
13 declared unconstitutional or invalid shall not have the effect of nullifying other portions or  
14 provisions hereof as long as such remaining portions can still subsist and be given effect  
15 in their entirety.  
16

17 **SEC. 16. Repealing Clause.** – All laws, ordinances, decrees, executive orders,  
18 rules and regulations, other issuances or parts thereof, which are inconsistent with this  
19 Act are hereby repealed or modified accordingly.  
20

21 **SEC. 17. Effectivity.** – This Act shall take effect fifteen (15) days from its  
22 publication in the *Official Gazette* or in at least two (2) national newspapers of general  
23 circulation.  
24

25 Approved.  
26