



HOUSE OF REPRESENTATIVES

H. No. 5445

BY REPRESENTATIVES SAN LUIS, APACIBLE, SYJUCO, OSMEÑA, CASTRO,
CALIMBAS-VILLAROSA, GOLEZ (A.), FABIAN, ERIGUEL, NAVA, FLORES,
LAPUS, OCAMPOS, DALOG, CAJAYON, ARQUIZA, RODRIGUEZ (R.),
ROMAN, TING, ABAYON, MARAÑON, MENDOZA (M.) AND CABALUNA,
PER COMMITTEE REPORT NO. 1497

AN ACT PROHIBITING PUBLIC AND PRIVATE HOSPITALS FROM
REQUIRING THE PAYMENT OF MONEY UPON REGISTERED
NURSES WHO WANT TO GAIN WORK EXPERIENCE AND
PENALIZING ANY VIOLATION THEREOF

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

1 SECTION 1. *Definition of Terms.* – For purposes of this Act, the
2 following terms shall be defined as follows:

3 (a) *Nurse training programs* refer to training programs that are
4 approved and accredited by the Department of Health (DOH) in partnership
5 with the Professional Regulation Commission (PRC) Board of Nursing which
6 follow a definite career progression for registered nurses and are aimed at
7 providing advanced or specialty training.

8 (b) *Nurse trainee* refers to a registered nurse undergoing training
9 programs that are approved and accredited by the DOH in partnership with the

1 PRC Board of Nursing. Those that are undergoing such training are allowed to
2 be charged corresponding fees to be determined jointly by the DOH and the
3 PRC Board of Nursing.

4 (c) *Nurse volunteers* refer to registered nurses rendering “free” or
5 unpaid services in hospitals, without employer-employee relationship, and
6 performing hospital duties with minimal supervision from regular staff nurses.
7 Nurse volunteers may or may not receive trainings, depending on the
8 institution where they render service.

9 SEC. 2. *Assessment and Accreditation.* – The DOH and the PRC
10 Board of Nursing shall assess all the training programs for registered nurses
11 that are being implemented in hospitals. However, if necessary, an Assessment
12 and Accreditation Unit shall be created in the DOH. Only those programs
13 accredited by the DOH and the PRC Board of Nursing shall be implemented
14 and allowed to charge corresponding fees.

15 SEC. 3. *Hospital's Capability.* – The DOH shall assess the capability
16 of all hospitals to provide training programs for registered nurses.
17 The minimum criteria for the assessment shall be based on the bed capacity,
18 appropriate facilities and availability of qualified trainers.

19 SEC. 4. *Prohibited Act.* – Any public or private hospital is hereby
20 prohibited from requiring the payment of money upon registered nurses who
21 are serving as nurse volunteers in order to gain work experience in the
22 hospitals and for employment purposes.

23 SEC. 5. *Penalty.* – Any person who is found guilty of violating this
24 Act shall suffer the penalty of imprisonment of not less than six (6) months but
25 not more than one (1) year and a fine of not less than One hundred thousand
26 pesos (P100,000.00) but not more than Five hundred thousand pesos
27 (P500,000.00).

1 If the offender is an association, corporation or any other juridical
2 person, the penalty shall be imposed upon the owner, president, hospital
3 director, treasurer and any other person responsible for the violation.

4 If the offender is a foreigner, he shall be summarily deported after
5 payment of fine and service of sentence, and be barred permanently from
6 entering the country.

7 SEC. 6. *Refund and Entitlement to Salary.* – Any registered nurse
8 who shall be required by the hospital to pay, in violation of Section 4 hereof,
9 shall be refunded the full amount paid to the hospital plus interest of six
10 percent (6%) *per annum* until the amount is fully paid. In addition, a salary
11 equivalent to Salary Grade 11, pursuant to Executive Order No. 811, series of
12 1989, shall be paid by the hospital to the registered nurse for services rendered.

13 SEC. 7. *Implementing Rules and Regulations.* – The DOH, in
14 coordination with the PRC and the Private Hospitals Association of
15 the Philippines, shall issue the implementing rules and regulations within
16 sixty (60) days after the effectivity of this Act.

17 SEC. 8. *Repealing Clause.* – All laws, decrees, orders, rules and
18 regulations and other issuances or parts thereof inconsistent with this Act are
19 hereby repealed, amended or modified accordingly.

20 SEC. 9. *Effectivity.* – This Act shall take effect fifteen (15) days after
21 its publication in any newspaper of general circulation.

Approved,

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