

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



'22 JUL -4 A8 :29

SENATE

S. No. 5

RECEIVED BY: \_\_\_\_\_

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Introduced by Senator Loren B. Legarda

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AN ACT  
PROVIDING FOR THE MAGNA CARTA OF BARANGAY HEALTH WORKERS

EXPLANATORY NOTE

Barangay Health Workers (BHWs) serve at the forefront of the delivery of basic services for the basic political unit of the nation. The State recognizes that primary health care is essential for health empowerment, emphasizing the need to provide accessible and acceptable health services.

Section 12, Article XIII of the 1987 Constitution provides that the State shall, in part, undertake appropriate health, manpower development, and research, responsive to the country's health needs and problems.

Further, Section 23, Paragraph 2 of RA 11223, otherwise known as the "Universal Health Care Act" specifically provides that: "To ensure continuity in the provision of the health programs and services, all health professionals and health care workers shall be guaranteed permanent employment and competitive salaries."

Relatedly, Section 2 of RA 7883 or the Barangay Health Worker's Benefits and Incentives Act of 1995 was enacted to recognize the need and support for barangay health workers in terms of health education, training of barangay health workers, community building and organizing.

However, despite performing a critical role as primary health care providers, BHWs receive less than what they deserve.

BHWs suffer due to a lack of effective support mechanisms and insufficient funds from the local government units. The deplorable state of barangay health programs and services is due to the current shortage of volunteers, the BHWs, whose numbers seem to be insufficient to address the growing needs of barangays. The local health budget would depend on the priorities given by each Local Government Unit (LGU) to health services and facilities.

The government must address this concern. This bill seeks to provide a comprehensive set of compensation, incentives, and other benefits in acknowledgment of the services these health workers render to the people. This will contribute positively to the goal of the government for more effective delivery of health services and make health care accessible to all.

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



LOREN LEGARDA

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AN ACT  
PROVIDING FOR THE MAGNA CARTA OF BARANGAY HEALTH WORKERS

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

1 Section 1. *Short Title.* - This Act shall be known as the "Magna Carta of  
2 Barangay Health Workers".

3 Sec. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to  
4 protect and promote the right to health of people and adopt an integrated and  
5 comprehensive approach to health development. Pursuant thereto, it shall endeavor  
6 to make essential goods, healthcare, and other social services available to all the  
7 people. In line with the country's commitment to accomplish health indicator targets  
8 under United Nations' Millennium Development Goals (MDGs), the State shall adopt  
9 policies that promote the welfare and well-being of barangay health workers who  
10 are the forefront of the delivery of healthcare at the grassroots level, and which shall  
11 effectively harness their potential as partners in development.

12 Sec. 3. *Definition.* - As used in this Act, the term "barangay health worker" refers  
13 to a person who has undergone training under any accredited government and non-  
14 government organization and who voluntarily renders primary healthcare services in  
15 the community after having been accredited to function as such by the local health  
16 board in accordance with the guidelines promulgated by the Department of Health  
17 (DOH) pursuant to Section 3 of Republic Act No. 7883 otherwise known as the  
18 "Barangay Health Workers' Benefits and Incentives Act of 1995."

1           Sec. 4. *Registration.* – Barangay Health Workers (BHWs) shall be registered with  
2 the local health board in the city or municipality in which they render service. The  
3 registered health workers shall be given appropriate proof of said registration.

4           The municipal and city health offices shall regularly maintain and update the  
5 BHW Registry with the assistance of the BHW Federation and shall submit the same  
6 to the municipal or city health board. The local health offices shall submit a copy of  
7 their respective updated BHW registry to the Provincial Health Office which shall  
8 consolidate all registries. Upon the validation of the Provincial BHW Federation, the  
9 consolidated Provincial Registry shall be submitted to the Provincial Health Board,  
10 and the same shall be posted in the municipal or city bulletin boards and barangay  
11 health centers.

12           The Provincial BHW Registry shall be submitted on or before April 30 of every  
13 year to the DOH at the regional and national levels for consolidation. The DOH is  
14 hereby mandated to maintain a national register of BHWs.

15 In order to qualify for registration, a barangay health worker must:

- 16       a. Have rendered basic community health care services continuously and  
17       satisfactorily for at least six (6) months immediately preceding the date of the  
18       filing of the application for registration in the barangay as certified by the Rural  
19       Health Midwife (RHM) or public health nurse assigned to the barangay and by  
20       the head of the barangay health workers association;
- 21       b. Have completed the basic orientation and training for BHWs as prescribed by  
22       the DOH and conducted by an accredited government agency, or DOH-  
23       recognized academic institution, or nongovernmental organization (NGO);
- 24       c. Be at least eighteen (18) years of age at the date of the filing of the application  
25       for registration; and,
- 26       d. Be physically and mentally fit.

27           It shall be the duty of the municipal and city health offices, in cooperation with the  
28 Provincial Health Office and DOH, to provide the BHW applicants with basic  
29 orientation and training within six (6) months from the date of approval of their  
30 application.

1           Sec. 5. *Accreditation.* – To further professionalize the health care services  
2 rendered by the BHWs and ensure the health and welfare of the community, a duly  
3 registered BHW must be accredited by the municipal or city health board.

4 The municipal or city health board shall issue the certificate of accreditation to  
5 qualified BHWs. In order to qualify for accreditation, the applicant BHW must:

- 6       a. Be registered in accordance with Section 4 hereof;
- 7       b. Have completed in the locality at least two (2) years of continuous and  
8       satisfactory service immediately prior to the filing of application for  
9       accreditation; and
- 10      c. Have completed a regular training program on health care service and  
11      community-based health program, that would upgrade and develop the skills  
12      and competency of BHWs to perform their roles. The training program shall be  
13      institutionalized by the DOH, in cooperation with local government units  
14      (LGUs).

15       It shall be the duty of the municipal and city LGUs, in cooperation with the  
16 provincial government and the DOH, to provide the applicant BHWs the necessary  
17 support and opportunities for accreditation.

18       A BHW must complete the regular training program on health care service and  
19 community-based health program within five (5) years from registration.

20 The municipal and city health boards or through their registration and accreditation  
21 committee shall act on the applications for accreditation of BHWs not later than thirty  
22 (30) days from the date of application.

23       The DOH shall also maintain an updated roster of accredited BHWs that is  
24 accessible to the general public.

25       Sec. 6. *Number and Role of Barangay Health Workers.* – Notwithstanding the  
26 limitations prescribed under Section 325(a) of Republic Act No. 7160, as amended,  
27 otherwise known as “The Local Government Code of 1991”, each barangay shall at  
28 least have one (1) BHW for every twenty (20) households.

29       As one of the key partners in a reformed healthcare delivery system, the DOH and  
30 LGUs shall support the roles of BHWs as:

- 1 a. Advocate - to support, promote and champion current health programs,  
2 projects, and activities to improve access to quality health services towards the  
3 improved health status of the community;
- 4 b. Educator - to guide and advise the community on the current DOH and health  
5 priorities of LGUs such as importance of birth plan and facility-based delivery  
6 in reducing maternal and infant deaths; newborn screening for the early  
7 detection of congenital metabolic disorders which may lead to mental  
8 retardation and even death, among others;
- 9 c. Disseminator - to maintain regular communication with local professional  
10 health workers on health events and updates and concerns relevant to the  
11 community and inform the same to the community for appropriate action, if  
12 necessary;
- 13 d. Coordinator - to facilitate access to any group or association of the community  
14 with a relevant network of or specific health and non-health service providers;
- 15 e. Record Keeper - to maintain updated records of health data, health activities  
16 and events in the community;
- 17 f. Health Care Service Provider - to assist and provide basic healthcare services  
18 as may be needed in the community in any health event.

19 A BHW shall not be required to engage in any partisan political activity.

20 *Sec. 7. Mandatory Appointment of Barangay Health Worker (BHW).* - There shall  
21 be appointed at least one (1) BHW in every barangay for every twenty (20) households  
22 who shall be under the supervision and control of the DOH. The BHW so appointed  
23 shall coordinate closely with the local government health officer in the  
24 implementation of health programs in the locality. As far as practicable, the BHW to  
25 be employed must be a resident of the barangay.

26 The DOH shall determine the ratio of barangay health workers according to  
27 the number of households: *Provided,* That there shall be at least one (1) BHW for every  
28 twenty (20) households: *Provided, further,* That the total number of barangay health  
29 workers nationwide shall not be less than one percent (1%) of the total population.

30 *Sec. 8. Incentives and Benefits.* - All BHWs who are actively and regularly  
31 performing their duties shall be entitled to monthly honoraria in the amount of not

1 less than Three Thousand Pesos (Php 3,000.00) subject to adjustment based on the  
2 prevailing market value, in addition to the following incentives and benefits:

3 (a) Privileges for the BHWs. – All accredited BHWs shall be entitled to twenty  
4 percent (20%) discount on all the items enumerated under Section 4(a) of  
5 Republic Act No. 9994 otherwise known as the “Expanded Senior Citizens Act  
6 of 2010”: *Provided*, That the privileges shall not be claimed if the BHW is eligible  
7 for a higher discount that may be granted by the commercial establishment or  
8 other existing laws.

9 The commercial establishment may claim the discount granted under this  
10 Section as tax deduction based on the cost of goods sold or services rendered:  
11 *Provided*, that the discount shall be allowed as deduction from the gross income  
12 for the same taxable year that the discount is granted: *Provided, further*, that the  
13 total amount of the claimed tax deduction net of value-added tax, if applicable,  
14 shall be included in their gross sales receipt for tax purposes and shall be  
15 subject to proper documentation and to the provisions of the National Internal  
16 Revenue Code of 1997, as amended.

17 (b) Hazard Allowance. – All accredited BHWs shall be entitled to hazard  
18 allowance in an amount to be determined by the local health board of the LGU  
19 concerned, which in no case shall be less than One Thousand Pesos (Php  
20 1,000.00) per month, subject to existing laws, rules, and regulations;

21 (c) Subsistence Allowance. – All accredited BHWs who render service within  
22 the premises of isolated barangay health stations shall be entitled to subsistence  
23 allowance equivalent to the meals they take in the course of their duty, which  
24 shall be computed in accordance with prevailing circumstances as determined  
25 by the LGU concerned. such allowance shall, in no case, be less than One  
26 Hundred Pesos (Php 100.00) per day;

27 (d) Transportation Allowance. – All accredited BHWs, in the performance of  
28 their official duties, shall be entitled to a transportation allowance of not less  
29 than One Thousand Pesos (Php 1,000.00) per month, subject to auditing rules  
30 and regulations;

31 (e) One-time Retirement Cash Incentive. – An accredited BHW who has  
32 continuously and satisfactorily served for at least fifteen (15) years shall be

1 entitled to a one-time retirement cash incentive of not less than Ten Thousand  
2 Pesos (Php 10,000.00) in recognition of their loyalty and dedication, which shall  
3 be borne by the municipality or city concerned. The provincial government  
4 may provide assistance for this purpose, in the case of component cities;

5 (f) Training, Education and Career Enrichment Programs. – The DOH shall, in  
6 coordination with the Department of Education (DepEd), Commission on  
7 Higher Education (CHED), Technical Education and Skills Development  
8 Authority (TESDA), DOH-recognized academic institutions, other concerned  
9 agencies and nongovernment organizations, provide information on and  
10 opportunities for education and career enrichment for accredited BHWs, such  
11 as in the following programs:

- 12 1. Educational programs which credit the years of primary healthcare  
13 service of the BHW towards higher education completion in institutions  
14 with stepladder curricula thus allowing them to upgrade their skills and  
15 knowledge for community work or to pursue further training as  
16 midwives, pharmacists, nurses or doctors;
- 17 2. Continuing education, study and exposure tours, grants, field  
18 immersion, and scholarships, among others;
- 19 3. Scholarship benefits in the form of tuition fees in state colleges, to be  
20 granted to one (1) child of every barangay health worker who will not  
21 be able to take advantage of the programs described in paragraphs (1),  
22 (2), and (3) hereof; and
- 23 4. Special training programs such as traditional medicine, disaster  
24 preparedness and other programs that address emergent community  
25 health problems and issues.

26 (g) Health Benefits. – All accredited BHWs shall be entitled to the following  
27 health benefits during their incumbency:

- 28 1. Free medical care, including surgery and surgical expenses medicines,  
29 x-ray and other laboratory fees, when confined in any public hospital or  
30 health institution;
- 31 2. Emergency assistance not exceeding the amount of Five Thousand Pesos  
32 (Php 5,000.00) chargeable against the fund of the barangay concerned,



1 for expenses incurred in the nearest private hospital or clinic in case of  
2 extreme emergency where there is no available public hospital;

3 3. Mandatory and immediate membership in the PhilHealth as indirect  
4 contributors.

5 The LGUs concerned shall also endeavor to provide other health benefits to  
6 accredited BHWs not otherwise provided by law;

7 (h) Insurance Coverage. - Accredited BHWs shall be granted insurance  
8 coverage and benefits by the Government Service Insurance System (GSIS)  
9 which shall be borne by the LGU concerned. For this purpose, the GSIS shall  
10 design an insurance benefit package suited to the needs and unique  
11 circumstances of the BHWs;

12 (i) Sick, Vacation and Maternity Leaves. - All accredited BHWs shall be entitled  
13 to sick, vacation and maternity leaves as may be prescribed in the  
14 implementing rules and regulations of this Act: *Provided, That*, the BHWs shall  
15 continue to receive their monthly honoraria while on leave, for such period in  
16 accordance with existing laws and practices.

17 (j) Cash Gift. - All accredited BHWs are entitled to a cash gift not less than the  
18 minimum monthly honoraria to be given every December from the general  
19 fund of the barangay or from such other funds appropriated by the national  
20 government for the purpose;

21 (k) Disability Benefit. - An accredited BHW who sustains an injury or falls ill  
22 in the course of the performance of their duties shall be entitled to Two  
23 Thousand Pesos (Php 2,000.00) for every year of service.

24 (l) Civil Service Eligibility. - A first grade eligibility shall be granted to  
25 accredited BHWs who have rendered three (3) years continuous service as  
26 such: *Provided, That* should a BHW become a regular employee of the  
27 government, the total numbers of years served as such shall be credited to the  
28 BHW's service in the computation of retirement benefits.

29 No person duly accredited as a BHW shall be removed except for a valid  
30 cause to be determined by the Local Health Board (LHB): *Provided, That* if  
31 found to be unjustly removed from service, a BHW shall be entitled to  
32 reinstatement without loss of benefits and incentives from the time of

1 termination up to the time of his reinstatement. The LHB shall resolve  
2 termination cases against a BHW judiciously not later than ninety (90) days  
3 from the receipt of a complaint.

4 (l) Free Legal Services. – Legal representation and consultation services shall be  
5 immediately provided by the Public Attorney’s Office to a BHW in cases of  
6 coercion, interference, and in other civil and criminal cases filed by or against  
7 the BHW arising out of or in connection with the performance of their duties  
8 as such.

9 (m) Preferential Access to Loan Facilities. – The DOH in coordination with  
10 other concerned government agencies shall provide, within one hundred  
11 eighty (180) days after the effectivity of this Act, a mechanism that shall provide  
12 organized BHWs access to loan services. The agencies providing loan services  
13 will set aside one percent (1%) of their loanable funds for organized BHW  
14 groups that have community-based income generating projects in support of  
15 health programs or activities.

16 Sec. 9. *Review by the Local Health Board.* – Every incentive or benefit for BHWs  
17 requiring expenditure of local funds shall be reviewed and approved by the LHB.  
18 Such benefits and incentives may be increased, upon review of the LHB, after  
19 considering, among others, the present Consumer Price Index (CPI) as published by  
20 the Philippine Statistics Authority (PSA).”

21 Sec. 10. *Discrimination Prohibited.* – Discrimination against any BHW by reason  
22 of gender, civil status, creed, religious or political beliefs and ethnic groupings in the  
23 exercise of their functions and responsibilities is hereby prohibited.

24 Sec. 11. *Protection of BHWs.* – The municipal, city, provincial governments and  
25 the Department of the Interior and Local Government (DILG) shall establish a  
26 grievance mechanism as a means of processing complaints of BHWs against alleged  
27 acts of discrimination and unjust removal from the service. A BHW may appeal their  
28 grievances to the DILG.

29 Sec. 12. *Right to Self-organization.* – A BHW shall have the right to freely form,  
30 join or assist organizations to obtain redress of their grievances through peaceful  
31 concerted activities, in a manner not contrary to law, and with utmost regard to service

1 to patients and the continuous operation of barangay health services in the interest of  
2 public health, safety, or survival of patients.

3       Sec. 13. *Representation in the Local Health Board and Primary Health Care Provider*  
4 *Network.* – The president of the municipal or city association of BHWs shall be a  
5 member of the municipal or city local health board. The presidents of the association  
6 of BHWs of each component city and municipality associations of a province shall  
7 elect from among themselves their representative to the provincial health board:  
8 *Provided, That,* the BHW representatives to the health boards shall not be allowed to  
9 vote on the registration, accreditation and disciplinary or removal complaints of  
10 BHWs.

11       The BHWs shall also form part of the healthcare provider network and shall  
12 participate in the implementation of healthcare services and programs.

13       Sec. 14. *Continuous Capacity Building for BHWs.* – The DOH shall conduct  
14 continuous capacity building for BHWs to enhance and upgrade their knowledge and  
15 skills, including training programs conducted online and in major Philippine dialects.  
16 The DOH shall, in coordination with TESDA and other concerned agencies shall also  
17 assist the LGUs in the development of education modules or materials that highlight  
18 the collective experiences and learnings of BHWs and the use of traditional and  
19 complementary medicine.

20       The LGUs shall endeavor to establish their own training centers for their BHWs  
21 and other health workers in coordination with TESDA, NGOs, and other agencies  
22 concerned.

23       The LGUs shall also implement a development program for BHWs that will  
24 allow them to benefit from ladderized training as provided under Republic Act No.  
25 10968, otherwise known as the “PQF Act,” and Republic Act No. 10647, otherwise  
26 known as the “Ladderized Education Act of 2014,” including academic credits for  
27 health-related courses.

28       Sec. 15. *Penalty Clause.* – Any local government official who violates any  
29 provision of this Act may be administratively and criminally charged in accordance  
30 with law.

31       Sec. 16. *Appropriations.* – The amount necessary for the implementation of this  
32 Act shall be charged against the National Tax Allotment (NTA) of the LGUs, other

1 local funds and the special health fund under Republic Act No. 11223 otherwise  
2 known as the "Universal Health Care Act".

3       Sec. 17. *Implementing Rules And Regulation.* – The DOH and the DILG shall, in  
4 consultation with the DepEd, the CSC, the GSIS, and other concerned government  
5 agencies and nongovernmental entities, promulgate the rules and regulations to  
6 implement this Act not later than one hundred eighty (180) days from the effectivity  
7 of this Act.

8       Sec. 18. *Separability Clause.* – If any portion or provision of this Act is declared  
9 invalid or unconstitutional, other provisions hereof shall remain in full force and  
10 effect.

11       Sec. 19. *Repealing Clause.* – Republic Act No. 7883 otherwise known as the  
12 "Barangay Health Workers' Benefits and Incentives Act of 1995" is hereby repealed.  
13 All laws, decrees, executive orders, rules and regulations, which are inconsistent with  
14 this Act are hereby repealed, or modified accordingly.

15       Sec. 20. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
16 publication in the *Official Gazette* or in a national newspaper of general circulation.

Approved,