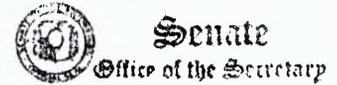


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL -7 P 4 :05

SENATE
Senate Bill No. 162

RECEIVED BY: 

INTRODUCED BY SENATOR JOSEPH VICTOR "JV" G. EJERCITO

AN ACT
AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 7305 OR THE
MAGNA CARTA FOR PUBLIC HEALTH WORKERS AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The 1987 Philippine Constitution, Article XIII, Section 3 thereof, 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. xxx"

With the global havoc made by the COVID-19 virus, health systems around the world continue to be challenged. No country, even the most powerful and rich ones, was prepared for the impact of the virus. Clearly, the pandemic tested the structure and competence of the health care systems around the world. Global responses to the COVID-19 pandemic has denuded the fundamental frailty and vulnerability of every health care system.

In the Philippines, we saw the weak, struggling, understaffed, underfunded healthcare system, and the burned out, exhausted and underpaid health care workers. It has opened our eyes to the root cause of the problem - the insufficient support of our government to the health care system.

The pandemic also revealed the shortage of health care workers and professionals, most specially in government hospitals. This is one of the impacts of the continuing flight of Filipino health care workers, which greatly affects our country's COVID-19 response. Many of our health care workers have left their profession and institution to seek greener opportunities abroad.

It is therefore the duty of this Congress to recognize the invaluable contributions of our public health care workers by compensating their hardwork, sacrifices and heroism. The proposed measure seeks to introduce several amendments to the 30-year old, Magna Carta of Public Health Workers, with the end view of promoting the rights of our health workers to better pay and benefits. In particular, this measure will increase the entry level salary of Medical Officer, nurse, dentist, midwife, medical technologist, physical therapist, occupational therapist, respiratory therapist, speech therapist, optometrist, pharmacist, and radiologic technologist. Furthermore, additional compensation and benefits will be given to all public health workers such as supplemental Special Risk Allowance (SRA), across the board hazard pay, rice subsidy allowance, increase in longevity pay, laundry and clothing allowance, and compensation for injuries.

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



JOSEPH VICTOR "JV" G. EJERCITO

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Office of the Secretary

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AN ACT
AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 7305 OR THE
MAGNA CARTA FOR PUBLIC HEALTH WORKERS AND FOR OTHER PURPOSES

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

1 SECTION 1. *Title.* – This Act shall be known as the **"Health Workers Salary**
2 **Upgrading Act of 2022"**.

3 Sec. 2. *Declaration of Policy.* – It is the declared policy of the State to guarantee
4 the entry and retention of qualified and competent health workers in the public health
5 care system by ensuring the commensurate remuneration for their work loads and the
6 hazards of their respective professions. This policy is in furtherance of the
7 Constitutional mandate to promote the most adequate health care for the people by
8 addressing the need for essential health workers and professionals in all public health
9 care facilities. This Act intends to improve the socio-economic conditions of public
10 health workers and to bolster the public health sector in the government service.

11 Sec. 3. Section 3 of Republic Act No. 7305, otherwise known as the "Magna
12 Carta for Public Health Workers" is hereby amended as follows:

13 "Sec. 3. [Definition] **COVERAGE.** – [~~For purposes of this Act,~~
14 ~~"health workers" shall mean all persons who are engaged in~~
15 ~~health and health-related work, and all persons employed in all~~
16 ~~hospitals, sanitarium, health infirmaries, health centers, rural health~~
17 ~~units, barangay health stations, clinics and other health-related~~

1 establishments owned and operated by the Government or its
2 political subdivisions with original charters and shall include
3 medical, allied health professional, administrative and support
4 personnel employed regardless of their employment status.”]

5 **THIS ACT SHALL BE FOR THE BENEFIT OF ALL PUBLIC**
6 **HEALTH WORKERS. FOR PURPOSES OF THIS ACT,**
7 **“HEALTH WORKERS” REFER TO PERSONS WHO ARE**
8 **ENGAGED IN HEALTH AND HEALTH-RELATED WORK IN A**
9 **HEALTH FACILITY OR OTHER RELATED ESTABLISHMENT,**
10 **OWNED AND OPERATED BY THE GOVERNMENT OR ITS**
11 **POLITICAL SUBDIVISIONS. IT SHALL INCLUDE**
12 **MEDICAL, ALLIED HEALTH PROFESSIONAL,**
13 **ADMINISTRATIVE AND SUPPORT PERSONNEL**
14 **INCLUDING MAINTENANCE, JANITORIAL AND SECURITY**
15 **PERSONNEL OF SUCH HEALTH FACILITY OR RELATED**
16 **ESTABLISHMENT, REGARDLESS OF THEIR EMPLOYMENT**
17 **STATUS.”**

18 Sec. 4. Section 19 of Republic Act No. 7305, otherwise known as the “Magna
19 Carta for Public Health Workers” is hereby amended as follows:

20 “Sec. 19. *Salaries.* – [~~In the determination of the salary scale of~~
21 ~~public health workers, the provisions of Republic Act No. 6758~~
22 ~~shall govern, except that the benchmark for Rural Health~~
23 ~~Physicians shall be upgraded to Grade 24.] **THE DEPARTMENT**
24 **OF HEALTH, IN CONSULTATION WITH THE DEPARTMENT**
25 **OF BUDGET AND MANAGEMENT, IS HEREBY MANDATED**
26 **TO ESTABLISH A NEW SALARY SCALE FOR PUBLIC**
27 **HEALTH WORKERS: PROVIDED, THAT THE BENCHMARK**
28 **FOR MEDICAL OFFICER 1 SHALL BE SALARY GRADE 17,**
29 **NURSE 1 SHALL BE SALARY GRADE 16, MIDWIFE 1 SHALL**
30 **BE SALARY GRADE 10, DENTIST 1 SHALL BE SALARY**
31 **GRADE 15, MEDICAL TECHNOLOGIST 1 SHALL BE SALARY**
32 **GRADE 12, PHARMACIST 1 SHALL BE SALARY GRADE 12,**~~

1 health workers receiving salary grade 19 and below, and five
2 percent (5%) for health workers with salary grade 20 and above.]

3 **ALL PUBLIC HEALTH WORKERS PERFORMING HEALTH**
4 **AND HEALTH-RELATED WORK REGARDLESS OF WORK**
5 **LOCATION SHALL BE ENTITLED TO HAZARD ALLOWANCE**
6 **AMOUNTING TO FIVE THOUSAND PESOS (P5,000.00)**
7 **PER MONTH: PROVIDED, THAT THIS RATE SHALL BE**
8 **REVIEWED PERIODICALLY AND INCREASED**
9 **ACCORDINGLY BY THE SECRETARY OF HEALTH IN**
10 **CONSULTATION WITH THE APPROPRIATE GOVERNMENT**
11 **AGENCIES.”**

12 Sec. 7. A new Section 21-A shall be inserted after Section 21 of Republic Act
13 No. 7305 which shall read as follows:

14 **“SEC. 21-A. SPECIAL RISK ALLOWANCE. – PUBLIC**
15 **HEALTH WORKERS, WHERE THE PERFORMANCE OF**
16 **THEIR DUTIES AND RESPONSIBILITIES AND LOCATION**
17 **OF WORK EXPOSE THEM TO GREAT DANGER,**
18 **OCCUPATIONAL RISKS, PERIL TO LIFE, AND PHYSICAL**
19 **HARDSHIPS, IN AREAS AND CIRCUMSTANCES AS**
20 **DETERMINED BY THE SECRETARY OF HEALTH, SHALL BE**
21 **ENTITLED TO SPECIAL RISK ALLOWANCE OF AT LEAST**
22 **FIFTEEN PERCENT (15%) OF THE MONTHLY BASIC**
23 **SALARY.”**

24 Sec. 8. Section 22 of Republic Act No. 7305, otherwise known as the “Magna
25 Carta for Public Health Workers” is hereby amended as follows:

26 **“Sec. 22. Subsistence Allowance. –** Public health workers who are
27 required to render service within **OR NEAR** the premises of
28 [~~hospitals, sanitarium, health infirmaries, main health centers, rural~~
29 ~~health units and barangay health stations, or clinics, and other~~
30 ~~health-related establishments]~~ **HEALTH FACILITIES AND**
31 **OTHER RELATED ESTABLISHMENTS** in order to make their
32 services available at any and all times, shall be entitled to full

1 subsistence allowance of three (3) meals which may be computed
2 in accordance with prevailing circumstances as determined by the
3 Secretary of Health in consultation with the Management-Health
4 Worker's Consultative Councils, as established under Section 33
5 of this Act: **PROVIDED, THAT SUBSISTENCE ALLOWANCE**
6 **SHALL BE COMPUTED NOT LOWER THAN SEVENTY FIVE**
7 **PESOS (Php75.00) PER MEAL: Provided, FURTHER,** That
8 representation and travel allowance shall be given to rural health
9 physicians as enjoyed by municipal agriculturists, municipal
10 planning and development officers and budget officers."

11 Sec. 9. A new Section 22-A shall be inserted after Section 22 of Republic Act
12 No. 7305 which shall read as follows:

13 **"SEC. 22-A. RICE SUBSIDY ALLOWANCE. – ALL PUBLIC**
14 **HEALTH WORKERS SHALL BE ENTITLED TO RICE**
15 **SUBSIDY ALLOWANCE IN THE FORM OF CASH**
16 **AMOUNTING TO ONE THOUSAND TWO HUNDRED FIFTY**
17 **PESOS (P1,250.00).**

18 Sec. 10. Section 23 of Republic Act No. 7305, otherwise known as the "Magna
19 Carta for Public Health Workers" is hereby amended as follows:

20 "Section 23. *Longevity Pay.* - A monthly longevity pay equivalent
21 to five percent (5%) of the monthly basic pay shall be paid to a
22 health worker for every five (5) years of continuous, efficient and
23 meritorious services rendered as certified by the chief of office
24 concerned, commencing with the service after the approval of
25 this Act.: **PROVIDED, THAT FOR EVERY TEN (10) YEARS OF**
26 **SERVICE, THEY SHALL BE ENTITLED TO SPECIAL**
27 **LONGEVITY PAY AMOUNTING TO ONE (1) MONTH OF**
28 **BASIC SALARY."**

29 Sec. 11. Section 24 of Republic Act No. 7305, otherwise known as the "Magna
30 Carta for Public Health Workers" is hereby amended as follows:

31 "Section 24. *Laundry AND CLOTHING Allowance.* - All public
32 health workers who are required to wear uniforms regularly shall

1 be entitled to laundry **AND CLOTHING** allowance equivalent to
2 [~~One hundred twenty five pesos (P125.00)~~] **FIVE HUNDRED**
3 **PESOS (P500.00)** per month: provided, that this rate shall be
4 reviewed periodically and increased accordingly by the Secretary
5 of Health in consultation with the appropriate government
6 agencies concerned taking into account existing laws and
7 prevailing practices.”

8 Sec. 12. Section 28 of Republic Act No. 7305, otherwise known as the “Magna
9 Carta for Public Health Workers” is hereby amended as follows:

10 “Section 28. *Compensation for Injuries.* – Public health workers
11 shall be protected against the consequences of employment
12 injuries in accordance with existing law. Injuries incurred while
13 doing overtime work shall be presumed work-connected.

14 **NOTWITHSTANDING ANY LAW TO THE CONTRARY,**
15 **PUBLIC HEALTH WORKERS WHO MAY BE INJURED OR**
16 **CONTRACT ANY DISEASE WHILE IN THE PERFORMANCE**
17 **OF THEIR DUTIES SHALL BE ENTITLED TO AN AMOUNT**
18 **OF ONE HUNDRED THOUSAND PESOS (P100,000.00):**
19 ***PROVIDED, THAT THE AMOUNT OF ONE MILLION PESOS***
20 ***(P1,000,000.00) SHALL BE GIVEN TO PUBLIC HEALTH***
21 ***WORKERS WHO MAY DIE WHILE IN THE PERFORMANCE***
22 ***OF THEIR DUTY: PROVIDED, FURTHER, THAT***
23 ***ENTITLEMENT TO COMPENSATION UNDER THIS***
24 ***SECTION SHALL NOT PRECLUDE PUBLIC HEALTH***
25 ***WORKERS TO CLAIM ANY OTHER BENEFITS FOR THE***
26 ***SAME INJURY PROVIDED FOR BY OTHER LAWS.***”

27 Sec. 13. *Free Continuing Professional Development.* – The Department of
28 Health shall provide free Continuing Professional Development training for public
29 health worker professionals who are required to undertake such program as a
30 requirement for the renewal of their professional identification cards under the

1 regulation of Professional Regulatory Commission as mandated by Republic Act No.
2 10912 or the "Continuing Professional Development Act of 2016".

3 *Sec. 14. Implementing Rules and Regulations.* – The Secretary of Health after
4 consultation with appropriate agencies of the Government as well as professional and
5 health workers' organizations or unions, shall formulate and prepare the revised
6 implementing rules and regulation of the Magna Carta for Public Health Workers in
7 accordance with this Act.

8 *Sec. 15. Separability Clause.* – If any portion or provision of this Act is declared
9 unconstitutional, the remainder of this Act or any provisions not affected thereby shall
10 remain in force and effect.

11 *Sec. 16. Repealing Clause.* - All other laws, decrees, executive orders and rules
12 and regulations contrary to or inconsistent with the provisions of this Act are hereby
13 repealed or modified accordingly.

14 *Sec. 17. Effectivity* - This Act shall take effect fifteen (15) days after its
15 publication in the Official Gazette or in one (1) newspaper of general circulation.

Approved,