

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



'22 OCT 27 P 4 :04

**SENATE**

S. No. 1429

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

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**Introduced by SENATOR RAMON BONG REVILLA, JR.**

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**AN ACT GRANTING BENEFITS TO PUBLIC AND PRIVATE HEALTH CARE WORKERS**

**EXPLANATORY NOTE**

Health care workers are our present-day heroes. Especially now that we are experiencing a global pandemic, the significant role they play cannot be over-emphasized. They are at the frontlines of a war against an invisible enemy.

Because of the nature of their profession, health care workers are more at risk of contracting illnesses.<sup>1</sup> Here comes the irony, because despite the sacrifices that their noble profession demands, the question would often be *"who takes care of those who take care of us?"*. There have been far too many pronouncements of support over the years especially each time they rose to the occasion – putting others' health and safety before theirs, enduring family visits that are few and far between.<sup>2</sup> These are the realities of their profession that they overcome every day in order to keep saving lives.

The inequities which permeated the society have not made it any easier for them. This has even caused a great migration of Filipino health care workers for greener pastures. "Filipino overseas migration reflects the socio-political and economic situation in the Philippines. Although worker migration is supposedly a temporary

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<sup>1</sup> Portugal, A. (01 September 2021) *Philippines health workers protest neglect as COVID-19 strains hospitals*. Retrieved 25 October 2022, from <https://www.reuters.com/world/asia-pacific/philippines-health-workers-protest-neglect-covid-19-strains-hospitals-2021-09-01/>

<sup>2</sup> Esconde, E. (09 April 2022) *Sacrifices of medical front-liners, common people hailed*. Retrieved 26 October 2022, from <https://www.pna.gov.ph/articles/1171871>

measure to alleviate inadequate employment generation, observations show that overseas migration has become a persistent trend”<sup>3</sup>, the International Labour Office (ILO) said. There are various reasons for this; to wit: rising costs of medicines and supplements, high inflation rate, low salaries and take-home pays, among others.

This representation believes that no Filipino would choose to leave their homeland and their families if conditions are better and if they are valued more. We have to make them feel that we acknowledge the great sacrifices they make in saving lives, by providing them with benefits and privileges that would protect and uphold their health and safety.

Imagine the paradox of health care workers saving lives needing to be saved. The meagre salary they receive juxtaposed with the high cost of medicines, vaccines, essential medical supplies, accessories and equipment. Who, then, saves those who save us?

This proposed measure thus seeks to come to their aid by granting a twenty percent (20%) discount, and exemption from the Value Added Tax (VAT), whenever possible, on the purchase of medicines, including the purchase of influenza and pneumococcal vaccines, and such other essential medical supplies, accessories and equipment.

This bill is more than just a recognition of the vital role of our health care workers but it is an act of support, respect, and gratitude to our heroes. This is the much-needed piece of legislation that gives back to those who have put their lives on the line as strongholds of the health care sector.

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

  
**RAMON BONG REVILLA, JR.**

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<sup>3</sup> International Labour Organization Institute of Health Policy and Development Studies (2005). *Migration of health workers: Country case study Philippines*. Retrieved 27 October 2022, from [https://www.ilo.org/wcmsp5/groups/public/---ed\\_dialogue/---sector/documents/publication/wcms\\_161163.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/publication/wcms_161163.pdf)

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

1 Section 1. *Short Title.* – This Act shall also be known as "*Kalusugan Ang*  
2 *Prayoridad Act of 2022.*"

3 Sec. 2. *Declaration of Policy.* – As declared in Republic Act No. 11712, otherwise  
4 known as the "*Public Health Emergency Benefits and Allowances for Health Care*  
5 *Workers Act*"; the State recognizes the critical role of health care workers in providing  
6 quality health care to the general population. To this end, the State shall reciprocate  
7 by promoting their welfare through the grant of benefits with utmost efficiency.

8 Sec. 3. *Coverage.* – As used in this Act, *health care workers* shall refer to all  
9 public and private medical, allied medical, administrative, technical, support and other  
10 necessary personnel employed by, and assigned in hospitals, health facilities,  
11 laboratories, medical or temporary treatment and monitoring facilities.

12 Sec 4. *Grant of Benefits to Health Care Workers.* – Health care workers shall be  
13 entitled to the grant of twenty percent (20%) discount and exemption from the value  
14 -added tax (VAT), if applicable, on the purchase of medicines, including the purchase  
15 of influenza and pneumococcal vaccines, and such other essential medical supplies,  
16 accessories and equipment to be determined by the Department of Health (DOH), for  
17 the exclusive use and enjoyment or availment of the health care worker.

18 The Department of Health (DOH) shall establish guidelines and mechanism of  
19 compulsory rebates in the sharing of burden of discounts among retailers,  
20 manufacturers and distributors, taking into consideration their respective margins.

1 *Provided*, That a health care worker who opts to avail of the same discount under  
2 Republic Act (RA) No. 7432, otherwise known as the "*Senior Citizens Act*," as amended  
3 by RA 9257 or the "*Expanded Senior Citizens Act of 2003*", or under RA 7277,  
4 otherwise known as the "*Magna Carta for Persons with Disability*" as amended by RA  
5 10754, may no longer avail of the same benefits under this Act.

6 *Sec. 5. Non-diminution of rights.* – All other rights and benefits provided under  
7 existing laws and enjoyed by health care workers, shall remain in full force and effect.  
8 Nothing herein shall be construed in a manner that will diminish the enjoyment of  
9 such rights and benefits of health care workers who shall have the right to avail of  
10 greater rights offered by existing laws, including those granted under this Act.

11 *Sec. 6. Penalties.* – It shall be prohibited for any person to refuse to grant the  
12 mandated discount and/or exemption from Value Added Tax (VAT). Any person who  
13 refuses to comply with the provisions of this Act shall suffer the following penalties:

14 (a) For the first violation, imprisonment of not less than two (2) years but not  
15 more than six (6) years and a fine of not less than Fifty thousand pesos  
16 (Php50,000.00) but not exceeding One hundred thousand pesos (Php100,000.00);

17 (b) For any subsequent violation, imprisonment of not less than two (2) years  
18 but not more than six (6) years and a fine of not less than One Hundred thousand  
19 pesos (Php100,000.00) but not exceeding Two hundred thousand pesos  
20 (Php200,000.00); and

21 (c) Any person who abuses the privileges granted herein shall be punished with  
22 imprisonment of not less than six (6) months and a fine of not less than Fifty thousand  
23 pesos (Php50,000.00) but not more than One hundred thousand pesos  
24 (Php100,000.00).

25 If the offender is a corporation, partnership, organization or any similar entity,  
26 the officials thereof directly involved such as the president, general manager,  
27 managing partner, or such other officer charged with the management of the business  
28 affairs shall be liable therefor.

29 If the offender is an alien or a foreigner, he/she shall be deported immediately  
30 after service of sentence.

31 Upon filing of an appropriate complaint, and after due notice and hearing, the  
32 proper authorities may also cause the cancellation or revocation of the business

1 permit, permit to operate, franchise and other similar privileges granted to any person,  
2 establishment or business entity that fails to abide by the provisions of this Act.

3 *Sec. 6. Implementing Rules and Regulations (IRR).* – Within sixty (60) days  
4 after the effectivity of this Act, the DOH, shall, in consultation with other government  
5 agencies and concerned stakeholders, promulgate the IRR to carry out the provisions  
6 of this Act. *Provided,* That the non-promulgation of the rules and regulations shall not  
7 prevent the immediate implementation of this Act upon effectivity.

8 *Sec. 7. Separability Clause.* – If any portion of this Act is declared  
9 unconstitutional or invalid, the portions or provisions which are not affected shall  
10 continue to be in full force and effect.

11 *Sec. 8. Repealing Clause.* – All laws, decrees, executive orders and rules and  
12 regulations or parts thereof, which are inconsistent with this Act, are hereby repealed  
13 or modified accordingly.

14 *Sec. 9. Effectivity Clause.* – This Act shall take effect fifteen (15) days after its  
15 complete publication in the *Official Gazette* or in at least two (2) national newspapers  
16 of general circulation in the Philippines.

*Approved,*