

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1148



Introduced by Representative Ivan Howard Guintu

EXPLANATORY NOTE

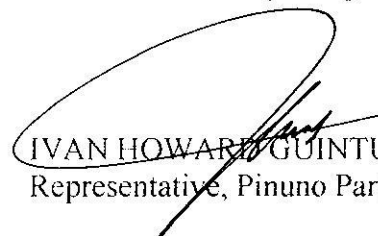
Section 11, Article XIII of the 1987 Constitution provides that “the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged, sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers.”

Section 4, Article XV of the 1987 Constitution provides that “the family has the duty to care for its elderly members but the State may also do so through just programs of social security.

The State values the health and welfare of its elderly citizens.

While Filipino family generally takes care of each and every family member, there are cases where the elderly are abandoned and have become homeless. In such instances, the State must step in to ensure that its senior citizens are given aid. The proposed bill seeks to establish government-run nursing homes that will care for the abandoned and homeless elderly population.

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


IVAN HOWARD GUINTU
Representative, Pinuno Partylist

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AN ACT
ESTABLISHING A NURSING HOME FOR HOMELESS AND ABANDONED
SENIOR CITIZENS IN EVERY CITY OR MUNICIPALITY IN THE PHILIPPINES,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. This Act shall be known as the “Homes for Abandoned Seniors Act.”

SEC. 2. Declaration of Policy. - It is hereby declared the policy of the State to value the dignity of every human person, guarantee full respect for human rights, extend assistance to its elderly citizens through programs of social security, and promote the right to health and safety of senior citizens. Towards this end, the State shall extend assistance to abandoned and homeless senior citizens through a social care and security program.

SEC. 3. Definition of Terms. As used in this Act:

- (a) *Abandoned Senior Citizen* refers to a senior citizen who has been deserted, permanently or temporarily, by his relatives or persons who have general or legal responsibility over the senior citizen, and/or from whom all basic care has been withdrawn, whether willfully or not;
- (b) *Homeless Senior Citizen* refers to a senior who lacks a fixed, regular residence, or whose current residence is unfit for human habitation, or lacks resources to obtain proper housing;
- (c) *Nursing Home* refers to a home for the aged, established and maintained under this Act by a city or municipality which provides living accommodations, food and

clothing, medical and health care, and recreational and social interaction activities for abandoned senior citizens or homeless senior citizens; and

- (d) *Senior Citizen* refers to any resident citizen of the Philippines at least sixty (60) years of age.

SEC. 4. *Establishment of Nursing Homes.* – There shall be established in every municipality and city, a nursing home to serve abandoned senior citizens and homeless senior citizens, to be built by the local government units (LGUs) concerned and shall be operated and maintained by the Department of Social Welfare and Development (DSWD) in coordination with the LGUs concerned.

SEC. 5. *Functions of Nursing Homes.* – The nursing homes shall provide homeless senior citizens or abandoned senior citizens within its territorial jurisdiction institutionalized residential care programs and services such as but not limited to:

- (a) Comfortable living quarters;
- (b) Adequate food and clothing;
- (c) Medical consultation or treatment;
- (d) Health care;
- (e) Occupational opportunities;
- (f) Recreational and social interaction activities;
- (g) Counseling;
- (h) Case conference;
- (i) Family dialogue;
- (j) Outreach to existing family for reintegration;
- (k) Literacy education;
- (l) Productivity development; and
- (m) Religious, cultural and vocational activities.

SEC. 6. *Implementing Rules and Regulations (IRR).* – The DSWD, in coordination with the Department of Interior and Local Government, Department of Health and the Federation of Senior Citizens Associations of the Philippines, and Confederation of Older Persons Associations of the Philippines, shall hereby promulgate the rules and regulations to carry out the provisions this Act not later than ninety (90) days after its effectivity.

SEC. 7. *Exemptions of the Nursing Home.* – The established nursing home shall be exempted from the payment of customs duties, taxes, and tariffs on the importation of equipment and supplies used actually, directly, and exclusively by the nursing home pursuant to this Act, including those donated to the Nursing Home.

SEC. 8. *Appropriations.* – The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and every year thereafter.

SEC. 9. *Separability Clause.* – If, for any reason, any section, subsection, clause or term of this Act is held invalid or unconstitutional, such parts not affected by such declaration shall remain in full force and effect.

SEC. 10. *Repealing Clause.* – All existing laws, orders, decrees, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby amended, modified or repealed accordingly.

SEC. 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,