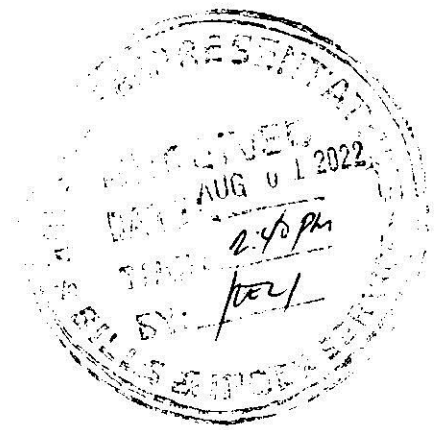


NINETEENTH CONGRESS)
OF THE REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

House Bill No. 2865

Introduced by Representative Christian Tell A. Yap

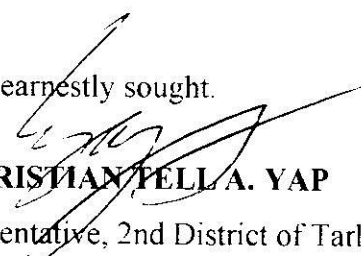
As of 2020, there are more than twelve (12) million Filipinos aged 60 years old and above. In the Philippines, we have already several existing laws clearly indicating that the State is duty-bound to provide support and services to our senior citizens. Our country's Expanded Senior Citizens Act has gone through amendments to be responsive to the needs of the elderly, which now provides free and mandatory Philhealth coverage for senior citizens.

Likewise, Article XV, Section 4 of our Philippine Constitution on the Filipino family states that it is the duty of the family to take care of its older members, while the State may design programs of social security for them. However, according to the Aging and the Human Rights of Older Persons, there are evidence that COVID-19 pandemic exacerbated violence, abuse, and neglect of older people. It is a sad fact that several of our senior citizens have been neglected and abandoned by their supposed families in which they are left to the mercy of civil society whose means to accommodate these pitiful elderlies are oftentimes inconsistent and insufficient.

The National Research Council of the Philippines (NRCP), the Department of Science and Technology's (DOST) policy advisory body, are pushing for the implementation of policy proposals aimed at improving senior citizens' benefits, privileges, and healthcare system. The research council pushes the feasibility of the creation and operation of community-based caregiving services that may cater to neglected or older persons living alone and those needing after hospital care.

This legislation is crafted to help address this problem, as well as to issue a clear mandate for the government to assume the role of custodians to these abandoned elderlies, taking up the reins to provide for their care.

In view of the foregoing reasons, the approval of the bill is earnestly sought.


CHRISTIAN TELL A. YAP
Representative, 2nd District of Tarlac

HOUSE OF REPRESENTATIVES

House Bill No. 2865

Introduced by Representative CHRISTIAN TELL A. YAP

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 House of Representatives of the Philippines in Congress
assembled:*

1 **SECTION 1. *Short Title.*** – This Act shall be known as the “Homes for Abandoned
2 Senior Citizens Act of 2022.”

3 **SECTION 2. *Declaration of Policy.*** – It is hereby declared the policy of the State to
4 value the dignity of every human person, guarantee full respect for human rights, extend
5 assistance to its elderly citizens through programs of social security, and promote the right to
6 health and safety of senior citizens through a social care and security program.

7 **SECTION 3. *Definition of Terms.*** – As used in this Act, the following terms shall mean:

- 8 a. Abandoned Senior Citizen refers to a senior citizen who has been deserted, permanently
9 or temporarily, by his relatives or persons who have general or legal responsibility over
10 the senior citizen, and/or from whom all basic care have been withdrawn, whether
11 willfully or not;
- 12 b. Homeless Senior Citizen refers to a senior who lacks a fixed, regular residence, or whose
13 current residence is unfit for human habitation, or lacks resources to obtain proper
14 housing;
- 15 c. Nursing Home refers to a home for the aged, established and maintained under this Act
16 by a city or municipality which provides living accommodations, food and clothing,
17 medical and health care, and recreational and social interaction activities for abandoned
18 senior citizens or homeless senior citizens;
- 19 d. Senior Citizen refers to any resident citizen of the Philippines at least sixty (60) years of
20 age.

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

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

- 9 a. Comfortable living quarters;
- 10 b. Adequate food and clothing
- 11 c. Medical consultation or treatment;
- 12 d. Health care;
- 13 e. Occupational opportunities;
- 14 f. Recreational and social interaction activities;
- 15 g. Counseling;
- 16 h. Case conference;
- 17 i. Family dialogue;
- 18 j. Outreach to existing family for reintegration;
- 19 k. Literacy education;
- 20 l. Productivity development;
- 21 m. Religious, cultural and vocational activities

22
23 **SECTION 6. *Implementing Rules and Regulations.*** – The DSWD, in coordination with
24 the Department of Interior and Local Government; Department of Health and the Federation of
25 Senior Citizens Associations of the Philippines, and Confederation of Older Persons
26 Associations of the Philippines, shall hereby promulgate the rules and regulations to carry out the
27 provisions of this Act not later than ninety (90) days after its effectivity.

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

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

35 **SECTION. 9. *Separability Clause.*** – If any provision of this Act is declared invalid or
36 unconstitutional, the provisions not effected thereby shall remain in full force and effect.

1 **SECTION. 10. *Repealing Clause.*** – All laws, presidential decrees, executive orders,
2 presidential proclamations, rules and regulations or parts thereof contrary to or inconsistent with
3 this Act are hereby repealed and/or modified accordingly.

4 **SECTION 11. *Effectivity.*** – This Act shall take effect fifteen (15) days after its complete
5 publication in the Official Gazette or at least two (2) national newspapers of general circulation.

6 *Approved,*