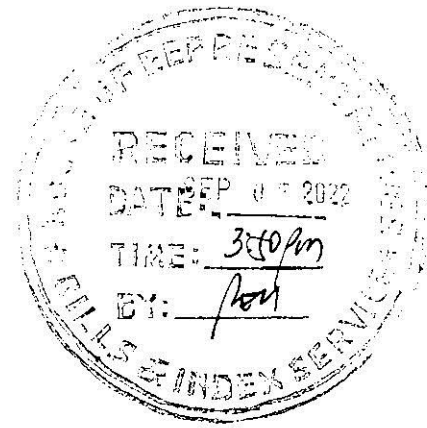




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL No. 4546



Introduced by **HONORABLE ERNESTO "ERNIX" M. DIONISIO, JR.**

EXPLANATORY NOTE

We, as Filipinos, are known for being a close-knit community. Through generations and generations, it is passed unto us the importance of family and how we Filipinos aid and support our parents and other elderlies. We were taught at a young age the importance of giving back to those who helped and aided us when we were the ones in need or when we were still young and helpless.

Despite such, in reality, are those traits passed on to us still present or is it now a thing of the past. Every day and almost everywhere you can see elderly people on the streets begging or selling. Some you might see are sleeping or even living on the streets.

Currently, there are around 7,548,769 Filipinos who are 60 years of age and over, while there are 4,787,586 who are 65 years of age and over¹. The number of elderlies in our population is continuously growing and with that the number of homeless elderly grows as well. As to the reason why there is a growing number of homeless elderly, there are numerous possible reasons behind it. It might be because of poverty, problems in the relationship among family members and many other more possible reasons.

As provided for by Section 4, Article XV of the 1987 Constitution², it is the family who has the duty to care for its elderly members but the State may also do so through programs of social security. Further, Section 11, Article XIII of the Constitution³ states that, the State shall endeavor to make essential goods, health and other social services

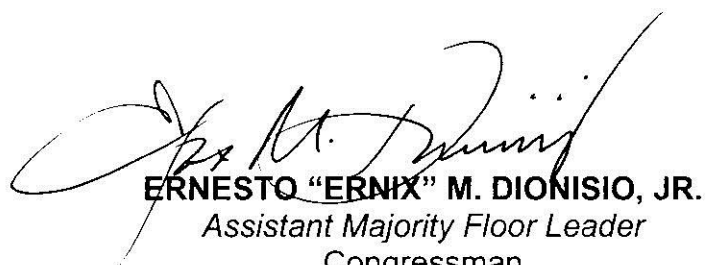
¹ Philippine Statistics Authority National QuickStat - August 2022. Available at <https://psa.gov.ph/statistics/quickstat/national-quickstat/all/> (last accessed September 6, 2022).

² Section 4, Article XV, 1987 Constitution.

³ Section 11, Article XIII, 1987 Constitution.

available to the public and that there shall be priority given to the underprivileged sick, elderly, disabled woman, and children.

For this reason, immediate approval of this bill is necessary.

A handwritten signature in black ink, appearing to read 'Ernesto M. Dionisio, Jr.', is written over the printed name. The signature is fluid and cursive, with a large initial 'E' and 'M'.

ERNESTO "ERNIX" M. DIONISIO, JR.

Assistant Majority Floor Leader

Congressman

First Congressional District of Manila



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NINETEENTH CONGRESS
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HOUSE BILL No. 4546

Introduced by HONORABLE ERNESTO "ERNIX" M. DIONISIO, JR.

AN ACT
MANDATING THE ESTABLISHMENT OF NURSING HOMES FOR
THE ABANDONED, NEGLECTED, UNATTACHED OR HOMELESS
SENIOR CITIZENS, AMENDING FOR THE PURPOSE REPUBLIC ACT
NO. 7432, OTHERWISE KNOWN AS "AN ACT TO MAXIMIZE THE
CONTRIBUTION OF SENIOR CITIZENS TO NATION BUILDING,
GRANT BENEFITS AND SPECIAL PRIVILEGES AND FOR OTHER
PURPOSES," AS AMENDED, AND FOR OTHER PURPOSES

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

SECTION. 1. Short Title. - This Act shall be known as the "Homes for the Elderly Act."

SEC. 2. Declaration of Policy. - It is hereby declared the policy of the State to value the dignity of every human person and 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 its senior citizens. Towards this end, the State shall extend assistance to neglected and homeless senior citizens by establishing nursing homes that will provide shelter and assistance for this marginalized sector.

SEC. 3. Nursing Homes. - Section 5 of Republic Act No. 7432, otherwise known as An Act to Maximize the Contribution of Senior Citizens to Nation Building, Grant Benefits, and Special Privileges and for Other Purposes" as amended, is hereby amended to read as follows:

"SEC. 5. Government Assistance. - The government shall provide the following:

(d) Social Services

At least fifty percent (50%) discount shall be granted on the consumption of electricity, water, and telephone by the senior citizens center and residential care/group homes that are government-run or non-stock, non-profit domestic corporation organized and operated primarily for the purpose of promoting the well-being of abandoned, neglected, unattached, or homeless senior citizens, subject to the guidelines formulated by the DSWD.

IN ADDITION, THESE RESIDENTIAL CARE, GROUP HOMES OR NURSING HOMES SHALL BE EXEMPTED FROM THE PAYMENT OF CUSTOMS DUTIES, TAXES, AND TARIFFS ON THE PURCHASE AND IMPORTATION OF EQUIPMENT AND SUPPLIES USED ACTUALLY, DIRECTLY, AND EXCLUSIVELY BY THE NURSING HOME PURSUANT TO THIS ACT, INCLUDING THOSE DONATED TO THEM. ALL DONATIONS MADE TO THESE FACILITIES SHALL ALSO BE EXEMPT FROM DONOR'S TAXES, AND SHALL BE ALLOWED AS A DEDUCTION IN ACCORDANCE WITH THE NATIONAL INTERNAL REVENUE CODE, AS AMENDED. THESE NURSING HOMES SHALL LIKEWISE BE EXEMPT FROM PAYMENT OF LOCAL BUSINESS TAXES.

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(4) "substitute family care" in the form of residential care, [or] group homes or NURSING HOMES for the abandoned, neglected, unattached or homeless senior citizens and those incapable of self-care: PROVIDED, THAT THERE SHALL BE AT LEAST ONE (1) RESIDENTIAL CARE, GROUP HOME OR NURSING HOME IN EVERY PROVINCE AND HIGHLY URBANIZED CITIES; PROVIDED, FURTHER, THAT IN ADDITION TO PROVIDING A COMFORTABLE AND SAFE LIVING QUARTERS, THE SERVICES THAT THESE ESTABLISHMENTS SHALL OFFER SHALL INCLUDE:

- (i) ADEQUATE AND NUTRITIOUS FOOD;
- (ii) CLOTHING;
- (iii) MEDICAL AND HEALTH CARE SERVICES;
- (iv) COUNSELING;
- (v) FAMILY OUTREACH, RECONCILIATION, AND DIALOGUE;
- (vi) LITERACY AND OTHER VOCATIONAL OR LIVELIHOOD TRAINING; AND
- (vii) RELIGIOUS, CULTURAL AND VOCATIONAL ACTIVITIES;

PROVIDED, FINALLY, THAT THE LOCAL GOVERNMENT UNITS (LGUS), THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD), NATIONAL COMMISSION OF SENIOR

CITIZENS, AND OTHER APPROPRIATE AGENCIES SHALL COORDINATE AMONG EACH OTHER FOR THE ESTABLISHMENT, MANAGEMENT AND OPERATION OF THESE FACILITIES.

SEC. 4. Assistance in the Transfer. - With the assistance of the different sectors of the local government unit, for efficiency and convenience, they are requested to assist in the transportation of homeless elderly people to be brought to nursing homes.

SEC. 5. Implementing Rules and Regulations. - Within ninety (90) days the effectivity of this Act, the DSWD, in coordination with the Department of Interior and Local Government (DILG), the Department of Health (DOH), the National Commission of Senior Citizens, the Federation of Senior Citizens Associations of the Philippines, and other appropriate government agencies, the Confederation of Older Persons Associations of the Philippines, and other concerned stakeholders, shall issue the rules and regulations to effectively implement the provisions this Act.

SEC. 6. 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. 7. Separability Clause. - If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall remain in full force and effect.

SEC. 8. Repealing Clause. - AW laws, presidential decrees, executive orders, presidential proclamations, rules and regulations or parts thereof contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 9. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.