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SENATE

S. B. No. 392 RECEIVED BY: 

INTRODUCED BY SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

**AN ACT
MANDATING THE APPOINTMENT OF BARANGAY HEALTH WORKERS IN
BARANGAYS, PROVIDING FOR THEIR DUTIES AND RESPONSIBILITIES,
COMPENSATION AND BENEFITS, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The national health policy of our country is clearly articulated in Article XIII, Section 11 of the 1987 Constitution: "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." By virtue of Section 17 of Title I of the 1991 Local Government Code, the delivery of basic services and facilities such as health and social welfare services were devolved to the local government units down to the barangay level. Thus, the barangay health centers are maintained with the help of barangay health workers who voluntarily render primary health care services to the community.

Barangay Health Workers serve as the frontliners in the barangay in providing basic health services. They play a vital role in accomplishing the primary health care approach towards health empowerment by providing accessible and acceptable health services in the barangay level.

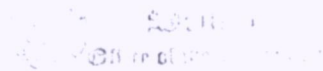
Despite their essential role and function, they are only considered as volunteers in the community. As such, they are only entitled to meager incentives and benefits.

Moreover, they are not given the security of tenure that befits the level of commitment necessitated by the role that BHWs play.

To address the existing policy shortfall, and to give due recognition to the role and services of BHWs in the delivery of our primary health care services in the community, this measure proposes to grant BHWs the compensation and benefits package, including security of tenure, of public health workers. This bill also mandates the Department of Health (DOH) to determine and recommend the number of needed BHWs in each barangay.

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


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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 "*Barangay Health*
2 *Workers Act of 2019.*"

3
4 **Sec. 2. Declaration of Policy.** - It is hereby declared the policy of the State
5 to protect and promote the right to health of the people by providing the conditions
6 of health empowerment, where each individual has adequate access to information
7 and services that will bring about health and well-being, and by delivering effective
8 health care programs and services based on the needs of the communities. Towards
9 this end, the State recognizes that the Primary Health Care Approach is an effective
10 strategy towards realizing health empowerment and effective health care programs
11 and services through community-based participatory strategies.

12
13 The State recognizes the indispensable role of Barangay Health Workers as the
14 front liners in the Primary Health Care Approach; and the importance of strengthening
15 and systematizing their services, and of providing them just compensation, consistent
16 with the principle of equal pay for equal work and work of equal value.

17

1 **Sec. 3. Definition of Terms.** – As used in this Act:

- 2 a.) *Barangay Health Worker (BHW)* shall refer to a person who is appointed to act
3 as a health worker in a barangay unit in accordance with Section 4 hereof;
4 b.) *Magna Carta for Public Health Workers* shall refer to Republic Act No. 7305;
5 and
6 c.) *Public Health Worker (PHW)* shall be as defined in Section 3 of the Magna Carta
7 for Public Health Workers as referring to all persons who are engaged in health
8 and health-related work, all persons employed in all hospitals, sanitaria, health
9 infirmaries, health centers, rural health units, barangay health stations, clinics
10 and other health-related establishments owned and operated by the
11 Government or its political subdivisions with original charters and shall include
12 medical, allied health professional, administrative and support personnel
13 employed regardless of their employment status.

14
15 **Sec 4. Appointment and Qualifications.** – There shall be appointed in each

16 barangay such number of BHWs as the Department of Health (DOH) shall determine
17 and recommend in consideration of the number of households in a barangay;
18 *Provided,* That the total number of BHWs per barangay shall not be less than three
19 (3), nor more than one percent (1%) of the barangay's total population.

20 In accordance with the recommendation of the DOH as to the needed number
21 of BHWs, the city or municipal mayor, as the case may be, shall appoint BHWs in each
22 barangays in the city or municipality on the strength of their accreditation by the local
23 health board; *Provided,* That the local health board shall only issue accreditation to
24 the following:

- 25 a.) A person who has completed the BHW training program of the DOH, or the
26 Technical Education and Skills Development Authority (TESDA), or undergone
27 a training specific for BHW by a TESDA-accredited or DOH-accredited
28 institution, and has passed the BHW training assessment, and obtained the
29 certification therefor; and
30 b.) All active barangay health workers at the time of the effectivity of this Act,
31 regardless of accreditation or training status, who have previously served for
32 at least one (1) year; *Provided,* That they undergo and pass the BHW

1 assessment by DOH/TESDA-accredited assessors, and obtained the equivalent
2 certification.

3 All active and existing barangay health workers accredited by the local health
4 board under Republic Act No. 7883 shall be given preference in the appointment of
5 BHWs pursuant to this Act.

6

7 **Sec. 5. Duties and Responsibilities.** – The BHWs shall perform in their
8 respective barangays the followings duties and responsibilities:

- 9 a.) Those which the DOH, or the city, municipal or barangay sanggunian shall
10 provide by ordinance, subject to the guidelines to be promulgated jointly by
11 the DOH and Department of Interior and Local Government (DILG), in
12 connection with the delivery of basic and primary health care services, the
13 implementation of family planning, feeding and nutrition, and immunization
14 programs, disaster response and mitigation, sanitation programs, and anti-drug
15 abuse rehabilitation and information campaigns, and the establishment of
16 national or local health management information systems;
- 17 b.) Provide assistance to physicians, dentists, nurses, nutritionists, or midwives
18 who are employed, stationed, or are otherwise providing services at the
19 barangay health center, daycare center or birthing center;
- 20 c.) Administer first-aid, and respond in natural calamities and disaster; and
- 21 d.) Gather data about the health profile of the barangay, incidence of
22 communicable or chronic diseases, environmental or health hazards in the
23 barangay, and other public health-relevant event or information, and report the
24 same to the local health board.

25

26 **Sec. 6. Compensation and Benefits.** – The entry pay level of a BHW shall
27 be the prevailing rate equivalent to Salary Grade One (SG 1).

28 BHWs shall also be entitled to the following standards, incentives, and benefits
29 provided for Public Health Workers under the Magna Carta for Public Health Workers:

- 30 a.) Normal hours of work;
- 31 b.) Overtime pay for overtime work;
- 32 c.) Rest day;

- 1 d.) Night-shift differential;
- 2 e.) Hazard allowance;
- 3 f.) Subsistence allowance;
- 4 g.) Longevity pay;
- 5 h.) Free medical examination;
- 6 i.) Compensation for injuries;
- 7 j.) Leave benefits;
- 8 k.) Retirement pay; and
- 9 l.) Right to self-organization.

10

11 Further, BHWs shall be covered by the existing statutory benefits such as GSIS,
12 Philhealth, and Pag-IBIG, as such, the total number of years served as barangay health
13 worker shall be credited to his/her service in computing retirement benefits. BHWs
14 shall be entitled to the following additional benefits:

15 a.) Training, Education and Career Enrichment Programs.— The DOH, in
16 coordination with the DILG, other government departments, agencies and non-
17 government organizations, shall provide opportunities for the following:

- 18 1.) Educational programs which shall recognize years of primary health care
19 service as credits to higher education in institutions with stepladder
20 curricula that will entitle BHWs to upgrade their skills and knowledge for
21 community work or to pursue further training as midwives, pharmacists,
22 nurses or doctors;
- 23 2.) Continuing education, study and exposure tours, training, grants, field
24 immersion, scholarships, etc.; and
- 25 3.) Special training programs such as those on traditional medicine, disaster
26 response and preparedness, and other programs that address emergent
27 community health problems and issues.

28 b.) Free Legal Services.— Legal representation and consultation services for
29 barangay health workers shall be immediately provided by the Public Attorneys'
30 Office in cases of coercion, interference, and in other civil and criminal cases
31 filed by or against barangay health workers arising out of or in connection with
32 the performance of their duties as such.

1 c.) Preferential Access to Loans.— The DOH in coordination with other concerned
2 government agencies shall provide a mechanism for access to loan services by
3 organized barangay health workers. The agencies providing loan services will
4 set aside one percent (1%) of their loanable funds for organized barangay
5 health worker groups that have community-based income generating projects
6 in support of health programs or activities.

7 d.) Civil Service Eligibility.— A second grade eligibility shall be granted to barangay
8 health workers who have rendered five (5) years continuous service.

9
10 **Sec. 7. Security of Tenure.** – All duly appointed BHWs shall not be
11 terminated except for cause provided under existing civil service rules and regulations,
12 and only after notice and hearing; *Provided*, That if a BHW is found by the Civil Service
13 Commission to be unjustly dismissed from work, he/she shall be entitled to
14 reinstatement without loss of seniority rights and to his/her back wages with twelve
15 percent (12%) interest computed from the time his/her compensation was withheld
16 from his/her up to time of reinstatement.

17
18 **Sec. 8. Appropriations.** – The amount of the grant of compensation herein
19 authorized shall be chargeable to the annual General Appropriations Act under the
20 budget of the Department of Health.

21
22 **Sec. 9. Implementing Agencies.** – Within one (1) year from the effectivity
23 of this Act, the DOH, DILG, TESDA and local government units shall immediately
24 appropriate funds necessary for the full implementation of this Act.

25 Within the same period, the DOH, DILG, and TESDA shall formulate, launch
26 and institutionalize the BHW training program, assessment, and national certification
27 program.

28
29 **Sec. 10. Implementing Rules and Regulations.** – Within six (6) months
30 from the effectivity of this Act, the DOH and DILG, in consultation with the local
31 government units, and existing health workers union and barangay health workers
32 organizations, shall provide the implementing rules and regulations to carry out the

1 provisions of this Act.

2
3 **Sec. 11. *Non-diminution of benefits.*** – Nothing in this Act shall be
4 construed to eliminate or in any way diminish entitlements, or other benefits being
5 provided to or enjoyed by BHWs under Republic Act No. 7883 or other laws and
6 issuances.

7
8 **Sec. 12. *Repealing Clause.*** –Republic Act No. 7883 otherwise known as the"
9 Barangay Health Workers Benefits and Incentives Act of 1995", is hereby repealed.
10 All other laws, decrees, orders, circulars, issuances, rules and regulations and parts
11 thereof which are inconsistent with this act are hereby repealed, amended or modified
12 accordingly.

13
14 **Sec. 13. *Separability Clause.*** – If any provision of this Act is subsequently
15 declared unconstitutional, the validity of the remaining provisions hereof shall remain
16 in full force and effect.

17
18 **Sec. 14. *Effectivity.*** - This Act shall take effect fifteen days (15) after its
19 complete publication in at least two (2) newspapers of general circulation in the
20 Philippines.

Approved,