

Republic of the Philippines
House of Representatives
Quezon City

Eighteenth Congress
Third Regular Session

House Bill No. **10112**



INTRODUCED BY REPRESENTATIVES MARIA LAARNI L. CAYETANO, ALAN PETER “COMPAÑERO” S. CAYETANO , LUIS RAYMUND “LRAY” F. VILLAFUERTE, JR., RANEO E. ABU, DAN S. FERNANDEZ, MICHAEL T. DEFENSOR, AND JOSE ANTONIO “KUYA” R. SY-ALVARADO

AN ACT STRENGTHENING OUR PRIMARY HEALTH CARE SYSTEM THROUGH THE APPOINTMENT OF SUFFICIENT BARANGAY HEALTH WORKERS IN CITIES AND MUNICIPALITIES AND GRANTING THEM STATUS AS JOB ORDER, CONTRACTUAL, CASUAL, OR REGULAR EMPLOYEES AND FURTHER STRENGTHENING THE BARANGAY HEALTHCARE SYSTEM

EXPLANATORY NOTE

The Philippine Constitution provides that the State shall protect and promote the right to health of the people and instill health consciousness among them. Towards this, the State shall develop 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.

These policies bring to the forefront the need for a strong and robust primary healthcare system in our country. This was especially highlighted in light of the current COVID-19 pandemic, wherein our health care system was quickly overloaded and our healthcare workers overworked and exhausted. It showed that one of our greatest challenges is the lack of adequate healthcare workers, facilities and equipment, especially in remote areas.

Considering that health care services have been devolved to the Local Government Units (LGU) pursuant to the Local Government Code of 1991, the LGUs are given the fundamental duty to continue to strengthen the capacity of our Primary Healthcare System, which must necessarily begin by looking at the people who carry it out.


As frontliners of our Primary Healthcare System, our Barangay Health workers must be given sufficient incentives, benefits and most of all just compensation for all the hard work they have done for us. The goal of improving the Primary Healthcare System necessarily carries with it the responsibility of taking care and supporting those in charge of implementing the same.

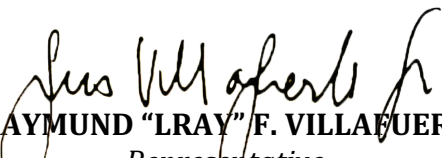
The Supreme Court’s decision in the case of *Mandanas vs. Ochoa*¹ clarified that the share of Local Government Units (LGU) of the Internal Revenue Allotment (IRA) does not exclude other national taxes like customs duties.² With the implementation of the *Mandanas-Garcia* ruling in 2022, it is projected that LGUs, individually and collectively, will have a 27.61% increase in their shares of the IRA. Therefore, there’s an additional source of funds for the salaries and benefits of Barangay Health Workers who have tirelessly sacrificed for their community, especially during this pandemic. In light of this, the LGUs, as a matter of policy, should endeavor to hire Barangay Health Workers as casual workers, or on a contractual and job order basis, and then eventually as regular employees once the *Mandanas-Garcia* ruling is fully implemented.

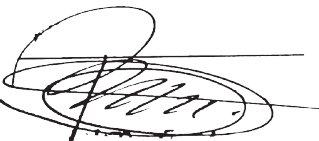
In sum, this bill ensures that Barangay Health Workers are integrated into the LGUs’ organization as Job Order, Contractual, Casual, or Regular Employees, and given proper compensation for their work, in recognition of their indispensable role in our Primary Healthcare System.


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

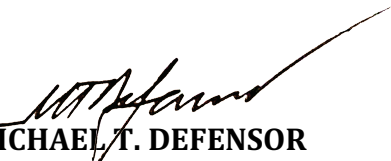

MARIA LAARNI L. CAYETANO
Representative
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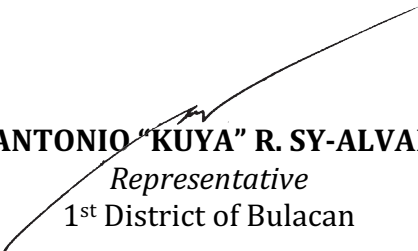

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¹ G.R. No. 199802, July 3, 2018.
² <https://www.constitutionalreform.gov.ph/uFAQs/what-is-mandanas-ruling/>

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HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
Third Regular Session

House Bill No. **10112**

**INTRODUCED BY REPRESENTATIVES MARIA LAARNI L. CAYETANO, ALAN PETER
“COMPAÑERO” S. CAYETANO, LUIS RAYMUND “LRAY” F. VILLAFUERTE, JR., RANEO E.
ABU, DAN S. FERNANDEZ, MICHAEL T. DEFENSOR, AND JOSE ANTONIO “KUYA” R. SY-
ALVARADO**

**AN ACT STRENGTHENING OUR PRIMARY HEALTH CARE SYSTEM THROUGH THE
APPOINTMENT OF SUFFICIENT BARANGAY HEALTH WORKERS IN CITIES AND
MUNICIPALITIES AND GRANTING THEM STATUS AS JOB ORDER, CONTRACTUAL,
CASUAL, OR REGULAR EMPLOYEES AND FURTHER STRENGTHENING THE BARANGAY
HEALTHCARE SYSTEM**

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

1 **SEC. 1. Short Title.** – This Act shall be known as the “*Bayanihan Barangay Health*
2 *Workers Act of 2021*”.

3
4 **SEC. 2. Declaration of Policy.** It is the policy of the State to protect and promote the
5 right to health of the people and instill health consciousness among them. It is therefore the
6 responsibility of the State to adopt an integrated and comprehensive approach to health
7 development which shall endeavor to make essential goods, health and other social services
8 available to all the people at affordable cost.

9
10 The State recognizes the importance of primary healthcare in ensuring the health and
11 well-being of our communities, the direct responsibility for which has now been assumed by
12 local governments, pursuant to the Local Government Code of 1991, as amended.

13
14 As the frontliners of our primary healthcare, the State recognizes the vital role of
15 Barangay Health Workers and the need to provide them with security of tenure, adequate
16 benefits and just compensation, consistent with the principle of equal pay for equal work
17 and work of equal value.

18
19 **SEC. 3. Definition.** – The term “Barangay Health Worker” refers to a person who has
20 undergone training programs under any accredited government and non-government
21 organization and who renders primary health care services in the community after having
22 been accredited to function as such by the local health board in accordance with the
23 guidelines promulgated by the Department of Health (DOH) and appointed by the city or
24 municipal mayor, as the case may be.

25
26 **SEC. 4. Appointment and Qualifications.** In each city or municipality, there shall be
27 such number of Barangay Health Workers as the city or municipal Mayor, in coordination
28 with the Sangguniang Panlungsod or Sangguniang Bayan, shall determine. Such number

1 should be sufficient to allow the city or municipality to satisfactorily deliver primary
2 healthcare to its constituents.

3
4 **SEC 5. Barangay Health Workers as employees of the Local Government Units**
5 **(LGU).** The city or municipality shall hire the Barangay Health Workers as job order, casual,
6 contractual, or regular employees.

7
8 Barangay Health Workers currently serving the city or municipality and receiving
9 allowances therefrom shall be given preference in the hiring by the city or municipality
10 under this Act.

11
12 **SEC. 6. Compensation and Benefits.** Barangay Health Workers hired pursuant to
13 this Act shall receive all the compensation and benefits given by the city or municipality to
14 its Job Order, Contractual, Casual, or Regular Employees.

15
16 **Sec 7. Special Barangay Health Workers Assistance Program.** The DOH, in
17 coordination with the Department of the Interior and Local Government (DILG), shall create
18 a *Special Barangay Health Workers Assistance Program*, providing additional financial and
19 technical assistance, training and other support to selected LGUs for their Barangay Health
20 Workers. This program shall prioritize assistance to LGUs that have no or less capacity to
21 give regular and adequate salaries/allowances to its Barangay Health Workers for the next
22 ten (10) years, as determined by the DOH and DILG.

23
24 **SEC. 8. Appropriation.** The amount needed for the implementation of this Act shall
25 be charged against the Internal Revenue Allotment (IRA) shares of the cities and
26 municipalities, particularly the additional funds to be received once the *Mandanas-Garcia*
27 Ruling has been fully implemented.

28
29 The amount necessary for the initial implementation of the Special Barangay Health
30 Workers Assistance Program shall be charged to the current appropriation of the DOH.
31 Thereafter, such sum as may be necessary for its continued implementation shall be included
32 in the annual General Appropriations Act.

33
34 **SEC. 9. Implementing Rules and Regulations –** The Department of the Interior and
35 Local Government (DILG), in coordination with the Department of Health (DOH), shall,
36 within sixty (60) days from the effectivity of this Act, prepare the Implementing Rules and
37 Regulations to carry out the provisions of this Act.

38 **SEC. 10. Separability Clause.** – If any part or provision of this Act is declared invalid
39 or unconstitutional, the other parts hereof not affected thereby shall remain valid.

40 **SEC. 11. Repealing Clause.** – All laws, acts, presidential decrees, executive orders,
41 administrative orders, rules and regulations inconsistent with or contrary to the provisions
42 of this Act are deemed amended, modified or repealed accordingly.

43 **SEC. 12. Effectivity.** – This Act shall take effect fifteen (15) days after its publication
44 in the Official Gazette or in a newspaper of general circulation.

45 *Approved,*
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