

Republic of the Philippines
House of Representatives
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 10126



Introduced by REP. ANGELICA NATASHA A. CO

EXPLANATORY NOTE

This bill seeks to ensure the continued service of Barangay Health Workers (BHWs) to promote and advance the people's health and general welfare.

It is an undisputed fact that the noble role of BHWs as frontliners in bringing health care to the grassroots are indispensable towards the progressive realization of universal health care and in response to public health emergencies, especially in light of the COVID 19 pandemic, and other health events such as calamities, which frequently occur in the country. The services of BHWs are crucial as the navigator, coordinator, and initial and continuing point of contact in the health care delivery system as part of the province-wide and city-wide health systems and the Primary Care Provider Network pursuant to the UHC Act. As such, their role is essential in bridging and linking community members to health services.

Through the years, BHWs have evolved to become an essential component of the nation's healthcare workforce and have been key to the success of primary health care in the country. In recognition of their contribution, the Philippine Congress passed Republic Act No. 7883 or the BHWs' Benefits and Incentives Act in 1995.

Moreover, Republic Act No 11223 or the Universal Health Care (UHC) Act provides that the DOH and local government units (LGUs) shall endeavor to provide a health care delivery system that shall afford every Filipino a primary care provider. Pursuant thereto, the Human Resource for Health National Masterplan 2020-20240 provides that the State shall ensure adequate/equitable and sustainable number of compassionate and responsive human resource for health at all levels, including Barangay Health Workers (BHWs), to deliver health care through the continuum of promotive, preventive, curative, rehabilitative health interventions.

The law notwithstanding however, BHWs have been subjected to and/or are susceptible to arbitrary and unjust dismissal and harassment mainly by the barangay chief executives or the Punong Barangay being the appointing power. Their continuous service are also disrupted, usually every after local elections, as they are deemed co-terminus with the Punong Barangay.

This situation jeopardizes the health and general welfare of the people especially in remote areas where, as reported by the DOH, twenty five percent of the communities in the entire country have no health professionals. This also puts into waste the health trainings of BHWs

by the national and/or local governments, as well as their invaluable experience and dedication as community health volunteers.

It is sad to note that the continued service of our BHWs are, by and large, politicized, which is inimical to the promotion of the people's health. This, despite the general welfare clause that is enshrined in Republic Act 7160 or the Local Government Code of 1991.

This malady in our health system cannot continue as the Philippines embarks on universal health care, with primary health care at its very core. The continued service of BHWs are imbued with great public interest. Therefore, it is incumbent upon Congress to institute policies that would protect the BHWs from unwarranted politicking at the expense of the peoples health.

In view of the foregoing and in line with the Philippine commitment to the Sustainable Development Goal, as well as the long-term goal of the State that the Filipino people shall live long and healthy lives, as enshrined in *Ambisyon Natin 2040*, the immediate enactment of this bill is hereby urgently sought.



REP. ANGELICA NATASHA A. CO
BHW PARTYLIST

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HOUSE BILL NO. 10126

Introduced by **REP. ANGELICA NATASHA A. CO**

AN ACT PROVIDING FOR THE PROTECTION OF BARANGAY HEALTH WORKERS FOR CONTINUED HEALTH SERVICES

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 "Barangay Health Workers Protection Act."

SECTION 2. Declaration of Policy. – The State recognizes the invaluable contribution of Barangay Health Workers, hereinafter referred to as BHWs, to the promotion of universal health care. It is the duty of the state to ensure their continued service by providing the necessary policies and mechanisms whereby they are accorded protection, due process and redress of their grievances to enable them to perform efficiently and effectively their functions, duties and responsibilities in the delivery of primary health care.

SECTION 3. Protection of BHWs for Continued Health Service - No registered and accredited BHW shall be removed from service nor shall be terminated even after the term of the punong barangay and sangguniang barangay members, except for cause as provided by law and after due process.

SECTION 4. Role of the Local Health Boards. - The Local Health Boards (LHB) shall hear and investigate, motu proprio, or base upon complaint of BHWs, any arbitrary and unjust dismissal or termination from service of BHWs.

The LHB shall also investigate any intimidation, harassment or threats and discrimination by any public official in their respective jurisdictions in relation to the BHWs official function or in the course of the performance of their duties and shall institute the proper administrative or any available remedies and legal action, as may be necessary, relative thereto.

If the complaint is lodged against the Municipal or City Mayor, the Provincial Health Board shall have jurisdiction over the complaints.

SECTION 5. Role of the Department of Interior and Local Government (DILG). - The aggrieved BHWs may appeal their complaints as provided in Section 4 hereof before the DILG. *Provided*, That administrative and other available remedies at the Provincial Health

Board level have been exhausted. For this purpose, the DILG is hereby mandated to monitor, provide mechanisms and issue proper guidelines for the redress of the BHWs grievances.

SECTION 6. Reinstatement. - If a BHW, upon appeal, is found by the local health boards or the DILG to be unjustly dismissed from service, he shall be entitled to reinstatement without loss of benefits and incentives from the time of his termination up to the time of his reinstatement.

Termination cases against BHWs shall be resolved judiciously not later than thirty (30) days from the receipt of a complaint by the local health boards and the DILG.

SECTION 19. Rules and Regulation. - The DILG shall, in consultation with appropriate agencies, formulate, not later than ninety (90) days from the effectivity of this Act, the rules and regulations necessary for its effective implementation.

SECTION 20. Separability Clause. - If any provision of this Act is declared invalid, the remainder of any provision hereof not affected thereby shall remain in force and effect.

SECTION 21. Repealing Clause. - All laws, decrees, executive orders, and other presidential issuances which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SECTION 22. Effectivity. - This Act shall take effect fifteen days (15) after its publication in the Official Gazette or at least in two (2) national newspapers of general circulation.

Approved,