

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL No. **3759**



Introduced By: REP. MAGNOLIA ROSA ANTONINO-NADRES

EXPLANATORY NOTE

Republic Act No. 7160 otherwise known as the Local Government Code of 1991 explicitly devolves powers and responsibilities to local government units in pursuance with the decentralization policy enshrined in the Constitution.

Many experts in local governance had shared the view that for the decentralization policy to succeed, the devolution of powers to local government units must be accompanied by financial support from the national government.

It is worthy to emphasize however, that more than two (2) decades after the passage of this landmark legislation, many local government units have been persistently clamoring for the reversion of the devolved functions and responsibilities, specifically health care and social welfare services, to the national government. It is therefore apparent that the forty percent (40%) share of local government units from national internal revenue taxes is not sufficient enough to shoulder the cost of devolved functions and responsibilities, particularly those local government units, which belong to lower income classifications.

The sorry state of health and social welfare services in many local government units throughout the country had endangered the lives of countless Filipinos particularly those in the far-flung areas.

It is worthy to emphasize that the promotion of health has always been an urgent business of society not only because it is the very foundation of an active and useful life but also the right of every Filipino. However, the inability of many local government units to give sufficient funding to devolved hospitals has caused untoward sufferings to our poor patients.

This bill therefore seeks to revert to the national government the discharge of health and social welfare services as many local government units cannot cope with the rising cost of health care and social services to the detriment of the local residents.

The re-nationalization of health and social services devolved to local government units can be made possible by repealing certain subparagraphs under Section 17, Sections 102 to 105, 478 and 483 of the Local Government Code of 1991.

The foregoing reasons merit the approval of this important piece of legislation.

A handwritten signature in black ink, appearing to read 'Mag Rosa', with a long horizontal line extending to the right from the end of the signature.

MAGNOLIA ROSA ANTONINO-NADRES
Representative
Fourth District, Nueva Ecija

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AN ACT

REVERTING TO THE NATIONAL GOVERNMENT THE DISCHARGE OF HEALTH AND SOCIAL WELFARE SERVICES, REPEALING FOR THE PURPOSE CERTAIN SECTIONS OF REPUBLIC ACT No. 7160, AS AMENDED OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991

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

SECTION 1. Subparagraph (ii) of Section 17 (b) (1) of Republic Act No. 7160 as amended otherwise known as the Local Government Code of 1991 is hereby repealed.

SEC. 2. Subparagraphs (iii) and (iv) of Section 17 (b) (2) of the Local Government Code of 1991 are hereby repealed.

SEC. 3. Subparagraph (viii) of Section 17 (b) (2) of the Local Government Code of 1991 is hereby amended to read as follows:

“viii. Infrastructure facilities intended primarily to service the needs of the residents of the municipality and which are funded out of municipal funds including but not limited to, municipal roads and bridges; school buildings and other facilities for public elementary and secondary schools; [clinics; health centers and other facilities necessary to carry out health services;] communal irrigation, small water impounding projects and other similar projects; fish ports; artesian wells, spring development, rainwater collectors and water supply systems; seawalls, dikes, drainage and sewerage, and flood control; traffic signals and road signs; and similar facilities;”

SEC. 4. Subparagraphs (iv) and (v) of Section 17 (b) (3) of the Local Government Code of 1991 are hereby repealed.

SEC. 5. Title Five of Book I, which includes Sections 102 to 105 of the Local Government Code of 1991 is hereby repealed.

SEC. 6. Article Eight of Title Five, Book III, which includes Section 478 of the Local Government Code of 1991 is hereby repealed.

SEC. 7. All references in the other provisions of the Local Government Code of 1991 to "local health board" shall be changed to "local sanggunian".

SEC. 8. The Secretary of the Department of Health, in coordination with the Secretary of the Department of the Interior and Local Government and the Secretary of the Department of Budget and Management, shall promulgate the necessary rules and regulations to implement this Act.

SEC. 9. All laws, executive orders, rules and regulations, which are inconsistent with this Act are hereby amended, repealed or modified accordingly.

SEC. 10. This Act shall take effect fifteen (15) days after its publication in at least two newspapers of general circulation.

Approved,