

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 AUG 17 A 8 :46

SENATE

S. No. 1201

RECEIVED BY: _____

Introduced by Senator Manuel "Lito" M. Lapid

AN ACT
ESTABLISHING A NURSING HOME FOR QUALIFIED HOMELESS AND
ABANDONED SENIOR CITIZENS IN EVERY CITY OR MUNICIPALITY IN THE
PHILIPPINES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER
PURPOSES

EXPLANATORY NOTE

It is declared the policy of the State to extend assistance to its elderly citizens through programs of social security and to promote the right to health and safety of senior citizens, as enshrined under Section 11, Article XIII of the 1987 Constitution.

Filipinos are known for their genuine respect and care for the elderly. Unlike western societies, we do not merely consider taking care of them as our obligation but rather, as a sign of gratitude and love. However, there has been an increasing number of cases of abandonment and neglect of the elderly in the country. This can be attributed to the economic reality of spending for the care and maintenance of the elderly which may become burdensome for households which do not earn enough, coupled with our ageing population, in which the population of the elderly is expected to comprise 16.5% of the total population by 2050¹.

Thus, this bill seeks to establish a nursing home to serve qualified abandoned senior citizens and homeless senior citizens to be built in every municipality and city. The same shall provide institutionalized residential care programs and services, such as but not limited to, comfortable living quarters, adequate food and clothing, medical

¹ <https://ageingasia.org/ageing-population-philippines/>

consultation or treatment, among others for the qualified beneficiaries who are unable to take care of themselves.

This bill likewise gives senior citizens the opportunity to reconcile with their families and return to their care. Beneficiaries who have recovered from their illness and become well-enough to care for themselves may also opt to leave the home voluntarily.

Bilang isang lipunan, polisiya po natin na alagaan ang mga taong hindi kayang alagaan ang kanilang sarili. Sa ganito, napananatili po natin ang kultura ng pagtutulungan at pag-iibigan sa ating komunidad at mapananatili natin ang lakas ng ugnayan ng bawat isa sa atin.

In view of this, early passage of this bill is sought.


MANUEL "LITO" M. LAPID
Senator

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1 **AN ACT**
2 **ESTABLISHING A NURSING HOME FOR QUALIFIED HOMELESS AND**
3 **ABANDONED SENIOR CITIZENS IN EVERY CITY OR MUNICIPALITY IN THE**
4 **PHILIPPINES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER**
5 **PURPOSES**

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

6 SECTION 1. *Short Title.* – This Act shall be known as the "Homes for Abandoned
7 Seniors Act."

8 SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to
9 value the dignity of every human person, guarantee full respect for human rights,
10 extend assistance to its elderly citizens through programs of social security, and
11 promote the right to health and safety of senior citizens. Towards this end, the State
12 shall extend assistance to abandoned and homeless senior citizens through a social
13 care and security program.

14 SEC. 3. *Definition of Terms.* – As used in this Act:

15 (a) *Abandoned Senior Citizen* refers to a senior citizen who has been deserted,
16 permanently or temporarily, by his relatives or persons who have general or
17 legal responsibility over the senior citizen, and/or from whom all basic care has
18 been withdrawn, whether willfully or not;

1 (b) *Homeless Senior Citizen* refers to a senior who lacks a fixed, regular residence,
2 or whose current residence is unfit for human habitation, or lacks resources to
3 obtain proper housing;

4 (c) *Nursing Home* refers to a home for the aged, established and maintained under
5 this Act by a city or municipality which provides living accommodations, food
6 and clothing, medical and health care, and recreational and social interaction
7 activities for abandoned senior citizens or homeless senior citizens;

8 (d) *Senior Citizen* refers to any resident citizen of the Philippines at least sixty
9 (60) years of age; and

10 SEC. 4. *Establishment of Nursing Homes.* – There shall be established in every
11 municipality and city, a nursing home to serve qualified abandoned and homeless
12 senior citizens (beneficiaries), to be built by the local government units (LGUs)
13 concerned and shall be operated and maintained by the Department of Social Welfare
14 and Development (DSWD) in coordination with the LGUs concerned.

15 To qualify for availment, the beneficiary must have neither means nor ability to
16 care for him/herself.

17 SEC. 5. *Functions of Nursing Homes.* – The nursing homes shall provide the
18 beneficiaries within its territorial jurisdiction institutionalized residential care programs
19 and services such as but not limited to:

20 (a) Comfortable living quarters;

21 (b) Adequate food and clothing;

22 (c) Medical consultation or treatment;

23 (d) Health care;

24 (e) Recreational and social interaction activities;

25 (f) Counseling;

- 1 (g) Case conference;
- 2 (h) Family dialogue;
- 3 (i) Outreach to existing family for reintegration;
- 4 (j) Literacy education;
- 5 (k) Productivity development; and
- 6 (l) Religious, cultural and vocational activities.

7 SEC. 5. *Voluntary Exit from the Home.* – Any beneficiary may opt to leave the
8 nursing home, provided that the DSWD deems them able to care from themselves or
9 that they are endorsed to their family or guardians who will take responsibility for their
10 care.

11 Beneficiaries who have recovered from the impairment which prevents them to
12 take care of themselves may be endorsed to the Department of Labor and
13 Employment or the DSWD Livelihood program for employment or livelihood
14 opportunities and the Department of Human Settlements and Urban Development
15 (DHSUD).

16 SEC. 6. *Implementing Rules and Regulations (IRR).* – The DSWD, in coordination
17 with the Department of Interior and Local Government, Department of Health and the
18 Federation of Senior Citizens Associations of the Philippines, and Confederation of
19 Older Persons Associations of the Philippines, shall hereby promulgate the rules and
20 regulations to carry out the provisions this Act not later than ninety (90) days after its
21 effectivity.

22 SEC. 7. *Exemptions of the Nursing Home.* – The established nursing home shall
23 be exempted from the payment of customs duties, taxes, and tariffs on the
24 importation of equipment and supplies used actually, directly, and exclusively by the
25 nursing home pursuant to this Act, including those donated to the Nursing Home.

1 SEC. 8. *Appropriations.* – The amount necessary to carry out the provisions of
2 this Act shall be included in the General Appropriations Act of the year following its
3 enactment into law and every year thereafter.

4 SEC. 9. *Separability Clause.* – If, for any reason, any section, subsection, clause
5 or term of this Act is held invalid or unconstitutional, such parts not affected by such
6 declaration shall remain in full force and effect.

7 SEC. 10. *Repealing Clause.* – All existing laws, orders, decrees, rules and
8 regulations, or parts thereof, inconsistent with the provisions of this Act are hereby
9 amended, modified or repealed accordingly.

10 SEC. 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its
11 publication in the *Official Gazette* or in a newspaper of general circulation.

12 *Approved,*