

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

Fifteenth Congress
Second Regular Session

HOUSE BILL NO. 5445

Introduced by Reps. Edgar S. San Luis, Alfredo D. Marañon III, Tomas V. Apacible, Augusto Boboy Syjuco, Tomas D. Osmeña, Jane T. Castro, Ma. Amelita A. Calimbas-Villarosa, Anthony T. Golez Jr., Erico Basilio A. Fabian, Mark Leandro L. Mendoza, Eufonio C. Eriguel, Joaquin Carlos Rahman A. Nava, Florencio T. Flores, Jaci A. Lapuz, Loreto Leo S. Ocampos, Maximo B. Dalog, Monique Yazmin Q. Lagdameo, Maria Jocelyn V. Bemros, Mary Mitzl L. Cajayon, Godofredo V. Arquiza, Rufus B. Rodriguez, Emerenciana A. De Jesuz, Herminia B. Roman, Randolph S. Ting, Joseph Gilbert F. Violago and Daryl Grace J. Abeyon

AN ACT
PROHIBITING PUBLIC AND PRIVATE HOSPITALS FROM REQUIRING
THE PAYMENT OF MONEY UPON REGISTERED NURSES WHO WANT
TO GAIN WORK EXPERIENCE AND PENALIZING ANY VIOLATION
THEREOF

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

1 **SECTION 1. Definition of Terms** -- For purposes of this Act, the following
2 terms shall be defined as follows:

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- 4 (a) *Nurse Training Programs* refer to training programs that are approved
5 and accredited by the Department of Health (DOH) in partnership with
6 the Professional Regulation Commission (PRC) Board of Nursing
7 which follow a definite career progression for registered nurses and are
8 aimed at providing advanced or specialty training.
- 9 (b) *Nurse Trainee* refers to a registered nurse undergoing training
10 programs that are approved and accredited by the DOH in partnership
11 with the PRC Board of Nursing. Those that are undergoing such
12 training are allowed to be charged corresponding fees to be
13 determined jointly by the DOH and the PRC Board of Nursing.
- 14 (c) *Nurse Volunteers* refer to registered nurses rendering "free" or unpaid
15 services in hospitals, without employer-employee relationship, and
16 performing hospital duties with minimal supervision from regular staff
17 nurses. Nurse volunteers may or may not receive trainings, depending
18 on the institution where they render service.

1 **SEC. 2. Assessment and Accreditation** – The DOH and the PRC Board of
2 Nursing shall assess all the training programs for registered nurses that are
3 being implemented in hospitals. However, if necessary, an Assessment and
4 Accreditation Unit shall be created in the DOH. Only those programs
5 accredited by the DOH and the PRC Board of Nursing shall be implemented
6 and allowed to charge corresponding fees.

7 **SEC. 3. Hospital's Capability** – The DOH shall assess the capability of all
8 hospitals to provide training programs for registered nurses. The minimum
9 criteria for the assessment shall be based on the bed capacity, appropriate
10 facilities and availability of qualified trainers.

11 **SEC. 4. Prohibited Act.** – Any public or private hospital is hereby prohibited
12 from requiring the payment of money upon registered nurses who are serving
13 as nurse volunteers in order to gain work experience in the hospitals and for
14 employment purposes.

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16 **SEC. 5. Penalty.** – Any person who is found guilty of violating this Act shall
17 suffer the penalty of imprisonment of not less than six (6) months but not more
18 than one (1) year and a fine of not less than One Hundred Thousand Pesos
19 (P100,000.00) but not more than Five Hundred Thousand Pesos
20 (P500,000.00)

21 If the offender is an association, corporation, or any other juridical person, the
22 penalty shall be imposed upon the owner, president, hospital director,
23 treasurer and any other person responsible for the violation.

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25 If the offender is a foreigner, he shall be summarily deported after payment of
26 fine and service of sentence and be barred permanently from entering the
27 country.

28
29 **SEC. 6. Refund and Entitlement to Salary.** – Any registered nurse who shall
30 be required by the hospital to pay in violation of Section 4 hereof shall be
31 refunded the full amount paid to the hospital plus interests of six percent (6%)
32 per annum until the amount is fully paid. In addition, a salary equivalent to
33 Salary Grade 11, pursuant to Executive Order No. 811, series of 1985 shall
34 be paid by the hospital to the registered nurse for services rendered.

35
36 **SEC. 7. Implementing Rules.** – The DOH, in coordination with the PRC and the
37 Private Hospitals Association of the Philippines, shall issue the Implementing
38 Rules and Regulation within sixty (60) days after the effectivity of this Act.

39 **SEC. 8. Repealing Clause.** – All laws, decrees, orders, rules and regulations
40 and other issuances or parts thereof inconsistent with this Act are hereby
41 repealed, amended or modified accordingly.

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43 **SEC. 9. Effectivity.** – This Act shall take effect fifteen (15) days after its
44 publication in any newspaper of general circulation.

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46 **Approved,**