



Senate
Office of the Secretary

12
NINETEENTH CONGRESS OF THE]
REPUBLIC OF THE PHILIPPINES]
First Regular Session]

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SENATE

RECEIVED BY:

S.B. No. 950

Introduced by SEN. WIN GATCHALIAN

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

EXPLANATORY NOTE

Filipino culture and society place great emphasis on respect and care for our elders. The family unit usually consists of not only the members of the immediate family but also of grandparents that are taken in and cared for by their descendants. As most Asian communities, Filipinos choose to take care of their elders themselves in their homes as a sign of gratitude and respect.

However, there are rising incidents of abandonment and neglect of the elderly in the country today. This can be attributed to various reasons such as the economic reality of spending for the care of an elderly person which may become unbearable for households that do not earn enough; or family problems that may lead the elderly and their children to become estranged; or the incapability to care for the elderly because of a busy schedule or work-related issues; or a combination of some or all of these unfortunate circumstances.

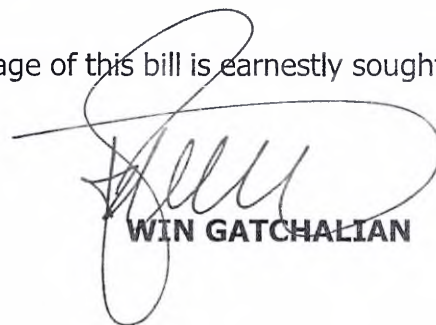
The city of Valenzuela is still a witness to this phenomenon of elderly abandonment, and had come up with solutions to cater to the needs of these

abandoned and neglected elders. As such, in 2012, the city established "Bahay Kalinga", a two-storey half-way home of 25 homeless or abandoned senior citizens found in the city. By 2021, a new four-storey facility was opened as the new home for the elderly, "Bahay Kanlungan Tahanan nina Lolo at Lola"¹, which can accommodate up to 90 elderly residents. It also has its own clinic, physical therapists, psychologists, nutritionists, and house parents who watch over the senior citizens 24/7.

While Bahay Kalinga and Bahay Kanlungan provide a "home-like" environment for the senior citizens, the growing number of unattended, neglected, abandoned and homeless senior citizens in the country cannot be ignored.

Aligned with the Constitutional mandate to protect the welfare of senior citizens, especially pauper elders, this bill seeks to provide a framework for other local government units (LGUs) to replicate what Valenzuela and other cities and municipalities have done for the plight of vulnerable sectors of their senior citizens, who by circumstances, have no resources nor support in their twilight years. This bill also provides that nursing homes for abandoned and neglected seniors will be built by LGUs, to be operated and maintained by the Department of Social Welfare and Development (DSWD), in coordination with said LGUs, complementing Republic Act No. 7876 or the "Senior Citizens Center Act of the Philippines," which creates a DSWD-led Senior Citizens Center in every city and municipality, that implements trainings and opportunities for productive activities and work schemes of senior citizens, to provide or improve their income.

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



WIN GATCHALIAN

¹ This is Valenzuela City's third facility dedicated to the most vulnerable sectors of the society. Others are Bahay Kalinga, which was created for the neglected and abused children; and Bahay Pag-asa, which was established for juvenile offenders and children in conflict with the law.



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AND FOR OTHER PURPOSES**

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

1 SECTION 1. *Short Title.* – This Act shall be known as the "*Homes for*
2 *Abandoned Seniors Act of 2022.*"

3

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

10

11 SEC. 3. *Definition of Terms.* - As used in this Act, the following terms
12 shall mean:

1 a. Abandoned Senior Citizen refers to a senior citizen who has been
2 deserted, permanently or temporarily, by his relatives or persons who have
3 general or legal responsibility over the senior citizen, and/or from whom all
4 basic care has been withdrawn, whether willfully or not;

5 b. Homeless Senior Citizen refers to a senior who lacks a fixed, regular
6 residence, or whose current residence is unfit for human habitation, or lacks
7 resources to obtain proper housing;

8 c. Nursing Home refers to a home for the aged, established and
9 maintained under this Act by a city or municipality which provides living
10 accommodations, food and clothing, medical and health care, and recreational
11 and social interaction activities for abandoned senior citizens or homeless senior
12 citizens;

13 d. Senior Citizen refers to any resident citizen of the Philippines at least
14 sixty (60) years of age.

15
16 *SEC. 4. Establishment of Nursing Homes.* - There shall be established in
17 every municipality and city, a nursing home to serve abandoned senior citizens
18 and homeless senior citizens, to be built by the local government units (LGUs)
19 concerned and shall be operated and maintained by the Department of Social
20 Welfare and Development (DSWD) in coordination with said LGUs.

21
22 *SEC. 5. Functions of Nursing Homes.* - The nursing homes shall provide
23 homeless senior citizens or abandoned senior citizens within its territorial
24 jurisdiction institutionalized residential care programs and services such as but
25 not limited to:

- 26 a. Comfortable living quarters;
- 27 b. Adequate food and clothing;
- 28 c. Medical consultation or treatment;
- 29 d. Health care;
- 30 e. Occupational opportunities;
- 31 f. Recreational and social interaction activities;
- 32 g. Counseling;

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

7

8 SEC. 6. *Implementing Rules and Regulations.* - The DSWD, in
9 coordination with the Department of Interior and Local Government,
10 Department of Health, the Federation of Senior Citizens Associations of the
11 Philippines, and the Confederation of Older Persons Associations of the
12 Philippines, shall hereby promulgate the rules and regulations to carry out the
13 provisions this Act, not later than ninety (90) days after its effectivity.

14

15 SEC. 7. *Exemptions of the Nursing Home.* - The established nursing
16 home shall be exempted from the payment of customs duties, taxes, and tariffs
17 on the importation of equipment and supplies used actually, directly, and
18 exclusively by the nursing home pursuant to this Act, including those donated
19 to the Nursing Home.

20

21 SEC. 8. *Appropriations.* - The amount necessary to carry out the
22 provisions of this Act shall be included in the General Appropriations Act of the
23 year following its enactment into law and every year thereafter.

24

25 SEC. 9. *Separability Clause.* - If any provision of this Act is declared
26 invalid or unconstitutional, the provisions not affected thereby shall remain in
27 full force and effect.

28

29 SEC. 10. *Repealing Clause.* - All laws, presidential decrees, executive
30 orders, presidential proclamations, rules and regulations or parts thereof
31 contrary to or inconsistent with this Act are hereby repealed or modified
32 accordingly.

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

Approved,