

[REPUBLIC ACT NO. 11494, September 11, 2020]

AN ACT PROVIDING FOR COVID-19 RESPONSE AND RECOVERY INTERVENTIONS AND PROVIDING MECHANISMS TO ACCELERATE THE RECOVERY AND BOLSTER THE RESILIENCY OF THE PHILIPPINE ECONOMY, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* - This Act shall be known and cited as "Bayanihan to Recover As One Act".

SEC. 2. *State of National Emergency.* - Presidential Proclamation No. 922, s. 2020, was issued declaring a state of public health emergency throughout the Philippines due to the Coronavirus Disease 2019 (COVID-19). Thus, Republic Act No. 11469 or the "Bayanihan to Heal as One Act" was enacted declaring a state of national emergency over the entire country to control the spread of the disease. However, the rise of confirmed cases of COVID-19, and the serious threat to the health, safety, security, and lives of our countrymen persist. The severe disruption to livelihood and all other productive activity were reflected in the country's economic contraction during the first semester of 2020. In view of unabated spread of the COVID-19 virus and the ensuing economic disruption therefrom, the existence of a continuing national emergency is hereby affirmed in this Act.

SEC. 3. *Declaration of Policy.* - It is hereby declared the policy of the State to promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty, particularly in the aftermath of natural and man-made disasters, through policies that provide adequate social services, and promote full employment, a rising standard of living, and an improved quality of life for all. Towards this end, and in cognizance of the Adverse impact of the COVID-19 pandemic to the Philippine economy and society, the State shall likewise establish mechanisms to achieve the following objectives:

(a) Reduce the adverse impact of COVID-19 on the socioeconomic well-being of all Filipinos through the provision of assistance, subsidies, and other forms of socioeconomic relief;

(b) Consolidate, update, and validate existing records, through the Department of Social Welfare and Development (DSWD) in coordination with the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID) and the Philippine Statistics Authority including local government units (LGUs), to come up with a comprehensive, up to date, and unified database to effectively implement the provision of socioeconomic relief intended for all Filipinos by properly identifying the recipients thereof;

- (c) Sustain efforts to test, trace, isolate, and treat COVID-19 cases to mitigate the transmission of the disease and prevent further loss of lives;
- (d) Enhance the capacity of the Philippine health care system to eliminate, prevent, and control disease outbreaks and pandemics and mitigate the effects of other health or life-threatening concerns by ensuring budgetary support for health care;
- (e) Mitigate the economic cost and losses stemming from the COVID-19 pandemic;
- (f) Restore public trust and confidence on social and economic institutions;
- (g) Accelerate the recovery and bolster the resilience of the Philippine economy through measures grounded on economic inclusivity, and collective growth through fiscal sustainability;
- (h) Accommodate alternative modes of transportation, including a network of bicycle lanes in all roads in every city, municipality, and province for the people who may opt to use the bicycle as an alternative mode of transportation to address health, environment, and traffic concerns;
- (i) Promote and protect the collective interests of all Filipinos in these challenging times;
- (j) Optimize the use of science, technology, and innovation in government's response measures;
- (k) Enhance public trust in science and technology and incorporate the use of scientific research and technological expertise in the policy-making process; and
- (1) Enhance the financial stability of the country to support government programs in combatting the COVID-19 pandemic.

SEC. 4. *COVID-19 Response and Recovery Interventions.* - Pursuant to Article VI, Section 23(2) of the Constitution, the President is hereby authorized to exercise powers that are necessary and proper to undertake and implement the following COVID-19 response and recovery interventions:

- (a) Following the World Health Organization (WHO) or the United States Centers for Disease Control and Prevention guidelines and best practices, adoption and implementation of measures to prevent or suppress further transmission and spread of COVID-19 through effective education, detection, protection, and treatment: *Provided*, That the percentage of the population that will undergo COVID-19 testing shall be in accordance with WHO standards and global benchmarks, in areas identified by the Department of Health (DOH) and the Department of the Interior and Local Government (DILG) as epicenters of COVID-19 infections and in other areas where higher possibility of transmission of COVID-19 may occur or have occurred. The DOH and DILG shall adopt a COVID-19 disease surveillance protocol that shall define minimum health standards for workplaces and business activities which shall include COVID-19 testing and the establishment of a contact tracing system including personal contact tracing whereby a person maintains a record of the places that he/she had been to and the people he/she had contact with: *Provided*, That any individual who tested positive for COVID-19 through laboratory confirmation at the national reference laboratory, sub-national reference laboratory, or a DOH-certified laboratory ^testing facility shall be automatically treated and if necessary, isolated in a DOH-accredited quarantine and

isolation facility: *Provided, further,* That the IATF-EID shall identify and prioritize the areas and business activities critically impacted and severely affected by COVID-19 and with high probability of COVID-19 transmission, and coordinate with the relevant LGUs and government agencies for the implementation of the COVID-19 surveillance protocol: *Provided, furthermore,* That the DILG, in partnership with the LGUs and other government agencies, shall distribute the testing-kits to DOH-accredited government hospitals and facilities that can perform testing: *Provided, finally,* That the DILG, in partnership with the LGUs, shall lead the contact-tracing efforts of the government;

(b) Implementation of an expedited and streamlined registration process of viral testing kits that diagnose Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2), such as polymerase chain reaction (PCR), nucleic acid, antigen, and other COVID-19 testing kits recommended by the Health Technology Assessment Council (HTAC) and facilitation of prompt testing by public and designated private institutions of suspected, and probable COVID-19 cases and those with no symptoms but with relevant travel history, or may have been exposed due to the nature of their work or due to their living conditions or had contact with a confirmed, suspected or probable case, and the compulsory and immediate isolation, and treatment of confirmed, suspected and probable COVID-19 patients: *Provided,* That the cost of testing and treatment for COVID-19 patients shall be covered under the National Health Insurance Program of the Philippine Health Insurance Corporation (PhilHealth). In addition to testing, isolation and treatment of these patients, the contacts of these patients shall also be immediately and properly traced through the use of efficient technology for data collection and analysis, and by engaging contact tracers that may include, but not limited to, displaced workers both in the formal and informal sectors, from existing networks of barangay health workers, parent-leaders from the Pantawid Pamilyang Pilipino Program (4Ps), and members of duly accredited Civil Society Organizations (CSOs) by national government agencies, subject to the rules and regulations to be issued by the DILG which shall include provisions on recruitment, training, and compensation, among others, of contact tracers;

(c) Adoption of a protocol on the conduct of viral testing and other COVID-19 testing kits recommended by HTAC. For this purpose, the IATF-EID, in full cooperation with the DOH, the DILG, the Department of Labor and Employment (DOLE), the Department of Trade and Industry (DTI), and the Bureau of Immigration (BI), shall ensure the following:

(1) Adequate number of COVID-19 testing centers that provide available, affordable and accessible testing to the public, subject to reimbursement by PhilHealth under existing guidelines: *Provided,* That people in geographically isolated or highly populated and depressed areas shall be provided the same level of access to COVID-19 testing;

(2) Hiring of skilled medical technologists, molecular biologists, epidemiologists, and other skilled laboratory technicians to conduct COVID-19 testing to achieve an ideal personnel-to-laboratory ratio taking into consideration DOH targets. To address the COVID-19 pandemic and in preparation for future public health emergencies, biomedical research, training, and programs for skilled medical technologists, molecular biologists, epidemiologists, and other skilled laboratory technicians shall be implemented utilizing existing public and private molecular laboratory infrastructure; and (3) Procurement and distribution of supplies for viral testing and

other COVID-19 testing kits recommended by HTAC based on, among others, the current levels and projections of the following:

(i) Number of patients and health workers with severe or critical symptoms and history of travel or exposure; and

(ii) Number of patients and health workers with mild symptoms, relevant history of travel or exposure, and considered vulnerable and workers returning to work: *Provided*, That LGUs may implement their own procurement, distribution, and monitoring program consistent with the overall provisions of this Act and the guidelines of the DOH and recommendations by HTAC based on rapid health technology assessment process:

Provided, That only testing kits which are sold and have complied with relevant regulations in the country of origin with an established regulatory agency may be imported, sold, accepted by way of donation and registered in the Philippines: *Provided, further*, That testing kits which have been recalled by established regulatory agencies of other countries shall be likewise recalled and delisted by the Food and Drug Administration (FDA);

(d) Delivery of uninterrupted immunization program against vaccine preventable diseases especially on children amidst the COVID-19 pandemic, including vaccine for COVID-19;

(e) Adoption by the DOH of a uniform and consistent reporting standard in a language understandable by the general public;

(f) Provision of any of the following subsidies:

(1) An emergency subsidy of Five thousand pesos (P5,000.00) to Eight thousand pesos (P8,000.00) to affected low income households in areas under granular lockdown and to households with recently returned overseas Filipino workers (OFWs): *Provided*, That the subsidy shall be computed based on the prevailing regional minimum wage rates: *Provided, further*, That the subsidy received from the current Conditional Cash Transfer Program and rice subsidy shall be taken into consideration in the computation of the emergency subsidy, as provided for in this Act: *Provided, furthermore*, That the vetting and validation of beneficiaries of the Social Amelioration Program (SAP), and the related liquidation report thereto shall be simplified to expedite the distribution of the subsidy: *Provided, finally*, That a definite and actual list of beneficiaries of the SAP shall be submitted to Congress;

(2) Five thousand pesos (P5,000.00) to Eight thousand pesos (P8,000.00) unemployment or involuntary separation assistance for displaced workers or employees due to COVID-19 including probationary, project, seasonal, contractual and casual employees in private health institutions, culture and arts, creative industries, including, but not limited to, film and audiovisual workers, broadcast, construction, public transportation, trade and industries, cooperatives, and other sectors of the economy, as may be identified by the DOLE, freelancers, the self-employed and repatriated OFWs, including OFWs whose deployment were suspended due to a government-imposed deployment ban: *Provided*, That any assistance given to OFWs shall be separate and distinct from the benefits or assistance, if any, they receive as members of the Overseas Workers Welfare Administration (OWWA): *Provided, further*, That any subsidy previously received under Republic Act No. 11469 does not preclude the displaced worker or employee,

the freelancers, self-employed, and repatriated OFWs from receiving the unemployment or involuntary separation assistance provided herein: *Provided, further,* That members of the Social Security System (SSS) who have received the unemployment benefit under Section 14-B (Unemployment Insurance or Involuntary Separation Benefits) of Republic Act No. 11199 or the "Social Security Act of 2015", during the COVID-19 pandemic shall no longer be eligible to avail of the benefits under this subsection: *Provided, finally,* That the SSS shall take proactive steps to ensure all qualified members be given unemployment benefits under Republic Act No. 11199; and

(3) Emergency subsidy to low income households who are qualified but were not granted such subsidy as mandated under Section 4(c) of Republic Act No. 11469.

Any subsidy program shall, as far as practicable, be implemented through, a social protection distribution system that embeds secure and privacy-preserving data capture, verification, deduplication, payroll generation, grievance, and payout using digital technologies. For this purpose, the payment of necessary transaction fees for the last mile delivery of subsidies to qualified beneficiaries is hereby authorized;

(g) Access ;'to livelihood assistance, skills and training programs, loan assistance, and employment opportunities for repatriated and returning OFWs to ensure proper reintegration and the full utilization of their skills for national development;

(h) Provision of a "COVID-19 special risk allowance" by the national government for all public and private health workers directly catering to or in contact with COVID-19 patients for every month that they are serving during *the* state of national emergency as declared by the President: *Provided,* That the COVID-19 special risk allowance of public health-workers shall be in addition to the hazard pay granted under Republic Act No. 7305 or thee "Magna Carta of Public Health Workers" and the active hazard duty pay granted under this Act: *Provided, further,* That the COVID-19 special risk allowance for both public and private health workers shall be exempt from income tax;

(i) Implementation of mandatory COVID-19 testing of public and private health workers every fifteen (15) days to ensure their protection;

(j) Assumption of all medical expenses of public and private health workers in case of exposure to COVID-19 or any work-related injury or disease during the state of national emergency as declared by the President;

(k) Provision of compensation to public and private health workers who have contracted COVID-19 in the line of duty, with the following amounts, upon submission of required documents to support claims:

(1) In case of death of the health worker. One-million pesos (P 1,000,000.00) shall be provided to the heirs of the health worker;

(2) In case of sickness, for a severe or critical case, One hundred thousand pesos (P100,000.00) shall be provided to the health worker; and

(3) In case of sickness, for a mild or moderate case, Fifteen thousand pesos (P15,000.00) shall be provided to the health worker:

Provided, That this shall have retroactive application from February 1, 2020: *Provided, further,* That the compensation provided herein shall be exempt from the