

[DOH, December 02, 1999]

**REVISED IMPLEMENTING RULES AND REGULATIONS ON THE
MAGNA CARTA OF PUBLIC HEALTH WORKERS OR R.A. 7305***

**RULE I
COVERAGE**

SECTION 1. These Rules and Regulations shall cover all persons engaged in health and health-related work, employed in all hospitals, sanitarium, health centers, rural health units, barangay health stations, clinics and other health-related establishments owned and related establishments owned and operated by the government or its political subdivisions, regardless of their employment status. Also covered are medical and allied professionals and support services personnel.

**RULE II
INTERPRETATION**

SECTION 1. These Rules and Regulations shall be interpreted in the light of the Declaration of Policy and Objective under Section 2 of the Act as follows:

"The State shall instill health consciousness among our people to effectively carry out the health programs and projects of the government essential to the growth and health of the nation". Towards this end; this Act aims:

- a To promote and improve the social and economic well-being of the health workers, their living and working conditions and terms of employment;
- b. To develop their skills and capabilities in order that they will be more responsive and better equipped to deliver health projects and. programs; and,
- c. To encourage those with proper qualifications and excellent abilities to join and remain in government service."

**RULE III
DEFINITION OF TERMS**

As used in these Revised Rules and Regulations, the terms below are defined as follows:

1. *Public Health Workers (PWH)* — Persons engaged in health and health-related works. These cover employees in any of the following:

a Any government entity whose primary function according to its legal mandate is the delivery of health services and the operation of hospitals, sanitarium, health infirmaries, health centers, rural health units, barangay health stations, clinics or other institutional forms which similarly perform health delivery functions, like clinical laboratories, treatment and rehabilitation centers, x-ray facilities and other similar activities involving the rendering of health services to the public; and

b. Offices attached to agencies whose primary function according to their legal mandates involves provision, financing or regulation of health services.

Also covered are medical and allied health professionals, as well as administrative and support personnel, regardless of their employment status.

2. *Health-Related Establishment* — health service facility or unit which performs health service delivery functions within an agency whose legal mandate is not primarily the delivery of health services. This applies to, among others, clinics or medical departments of government corporations, medical corps and hospitals of the AFP, and specific health service section, division, bureau or any type of organizational subdivision of a government agency. In no case shall the law apply to the whole agency when the primary function of the agency is not the delivery of health services.

3. *Act* — Republic Act 7305 otherwise known as the Magna Carta of Public Health Workers. (See Annex A)

4. *Agency* — any department, bureau, service, office, college, university, commission, board or institute with original charter or any other branch of national government as well as local government employing public health workers, except as hereinafter otherwise provided.

5. *Benchmark* — a reference point upon which the salary grade of classes or positions are based.

6. *Client* — a person or group seeking or needing the services of a public health worker.

7. *Clinic* — unit providing direct health service wherever it is located as defined in the law.

8. *Demotion* — a movement from one position to another involving the issuance of an appointment with diminution in duties, responsibilities, status or rank which may or may not involve reduction in salary.

9. *Depressed Area* — an area where majority of its population do not meet the minimum basic needs and/or the income of the majority of households in the area is below the poverty line as defined by NEDA.

10. *Difficult Area* — a place where an increased amount of risk to life is encountered while traveling to such places, i.e. rough seas, dangerous and steep trails.

11. *Distressed Area* — an area under a state of calamity and/or emergency.
12. *Due Process* — a fair investigation and hearing by a neutral body wherein parties concerned or a person is given an opportunity to be heard.
13. *Disciplining Authority* — the appropriate appointing authority.
14. *Emergency* — a sudden occurrence demanding immediate action that may be due to epidemics; to natural or technological catastrophes; to strife; or to other man-made and/or natural causes.
15. *Employed* — a state of being appointed to a position in government whether permanent, temporary, contractual/casual, full-time or part-time status.
16. *Exigency of the Service* — a situation where service is urgently needed and where any delay in its execution and delivery will adversely affect the outcome of the service as well as pose a threat to the life of a person and/or condition of a facility or property.
17. *Geographical Reassignment* — a movement of a public health worker from one geographical location to another in the same department or agency which does not involve a reduction in rank, status or salary.
18. *Hazard* — the risks to the health and safety of public health workers.
19. *Holiday* — the regular holidays and special days as mandated by law (Book 1, Chapter 7, Administrative Code of 1987).
20. *Job Rotation* — a temporary assignment to a similar position in another geographic area or unit as a means to enrich professional experience as well as to avoid service interruption.
21. *Legal Tender* — any form of money which by laws must be accepted when offered as payment.
22. *Married Couple* — a pair of male and female individuals of legal age joined in wedlock by a person authorized by law to perform marriage ceremony.
23. *Medico-Legal Case Completed* — the case is completed upon submission of the medico-legal report to the proper authority.
24. *Municipal Health Officer (MHO)* — a mandatory position under the Local Government Code of 1991 which serves as the department head in-charge of a municipality tasked with the formulating and implementing the health and medical programs for the whole municipality.
25. *Night Shift* — a duly authorized work rendered between 10:00 p.m. and 6:00 a.m.
26. *On-Call Service* — the period during which the worker satisfies the agency's requirement for him or her to remain on stand-by within the premises of specified

place in order to be readily available to perform work on demand or to be deployed in work areas.

27. *Overloading* — a situation where a public health worker is given more than the accepted standard workload he/she can efficiently handle.

28. *Overtime* — a duly authorized work rendered beyond the regularly scheduled normal hours of work, such as work during the day beyond the 8 hours of work required from daily paid workers or work during the week beyond the 40 hours of work required from monthly paid workers.

29. *Rest Day* — any day within the week when the employee is scheduled not to report to work provided the employee shall have rendered forty (40) hours work within the week.

30. *Post Graduate Degree Course* — the graduate degree course completed after finishing baccalaureate degree relevant to his/her job.

31. *Satisfactory Service* — the performance of an employee who has been rated at least satisfactory for the past two (2) consecutive performance rating periods.

32. *Preliminary Investigation* — a fact-finding proceeding seeking to determine the existence of a prima facie evidence or sufficient grounds sufficient enough to file formal administrative charges.

33. *Prescribed Uniform* — the uniform authorized by the head of agency to be worn by the personnel which delivers direct health services.

34. *Qualification Standard* — a statement of the minimum qualifications for a position which shall include education, experience, training, civil service eligibility and physical characteristics and personality traits required by the job.

35. *Rural Health Physician (RHP)* — One who is in-charge of a rural health unit (RHU) that renders preventive and curative medical services in a specific area of assignment within the municipality.

36. *Rural Physician* — common term used to include the municipal health officer (MHO), rural health physician (RHP), medical officer (MO), chief of the district hospital (CDH), and resident physicians who are designated to perform medico-legal services in a rural setting.

37. *Social Security* — the protection against economic and social distress that is caused by the stoppage or substantial reduction of earnings resulting from sickness, maternity, employment injury, incapacitation and old age.

38. *Subsistence* — meal allowance.

39. *Transfer* — a movement from one position to another which is of equivalent rank, level or salary without break in service.

40. *Understaffing* — a situation where the staffing or personnel complement of a health or health-related establishment is inadequate, failing to meet the acceptable

standard ratio of manpower to patient / population.

41. *Unit* — a subdivision of any government agency.

42. *Work During Rest Day* — a duly authorized work rendered during periods designated as regular rest day of the worker.

43. *R.A. 6758* — An Act Prescribing a Revised Compensation and Position Classification in the Government and for other purposes.

44. *Part-time public health worker* — those who are rendering services for four (4) hours per day or twenty (20) hours per week.

45. *Standard Ratio of Manpower to Population:*

Rural Health Physician = 1:20,000

Public Health Nurse = 1:20,000

Rural Health Midwife = 1:5,000

Rural Sanitary Inspector = 1:20,000

Rural Health Dentist = 1:50,000

46. *Networking* — an organized system of government and private hospitals helping each other in rendering/providing services not available at their respective hospital. This includes sharing of equipment, manpower and other resources which follow certain referral procedure. The agency concerned shall shoulder the expenses incurred thereof.

47. *Professional Services* — services rendered or extended by public health workers but not limited to medical, dental and nursing professionals.

RULE IV

STANDARDS APPLICABLE TO AGENCIES CLAIMING PARTS OF ITS ORGANIZATION AS COVERED BY VIRTUE OF A HEALTH-RELATED FUNCTION

SECTION 1. The agency should show that its health service function is specifically included in the legal mandate of the agency as shown by the legislation or executive order creating or establishing the agency or unit of the agency. The basis will be an examination of the relevant legal document.

SECTION 2. In addition, the agency should then show the official approved staffing pattern corresponding to the unit or subdivision covered by the legal mandate which include the health service function. The basis will be an examination of the relevant administrative documents.

SECTION 3. Based on satisfying the above two (2) requirements, i.e. legal mandate and staffing pattern, the inclusion under the law's coverage will apply only to those personnel occupying the identified positions in the unit determined to be "health related" under these procedures.

RULE V

RECRUITMENT AND QUALIFICATION