



Republic of the Philippines
CITY OF VALENZUELA
Metropolitan Manila

SANGGUNIANG PANLUNGSOD

*** Excerpts from the minutes of the 74th Regular Session of the 8th City Council of Valenzuela held on March 15, 2021 at 2:54 P.M. at the City Council's Session Hall, 3rd Floor, Legislative Building, Valenzuela City Hall, Karuhatan, Valenzuela City, Metropolitan Manila.

ORDINANCE NO. 863
Series of 2021

AN ORDINANCE CREATING THE VALENZUELA CITY BAHAY KANLUNGAN - TAHANAN NI LOLO AT LOLA, PROVIDE FUNDS THEREFOR, AND FOR OTHER PURPOSES.

Authored by: Coun. WALTER MAGNUM D. DELA CRUZ

Co-authored by: Vice Mayor LORENA NATIVIDAD-BORJA, Coun. ROVIN ANDREW M. FELICIANO, Coun. RICARDO RICARR C. ENRIQUEZ, Coun. RAMON L. ENCARNACION, Coun. JENNIFER P. PINGREE, Coun. JOSEPH WILLIAM D. LEE, Coun. CRISSHA M. PINEDA, Coun. KIMBERLY ANN GALANG-TIANGCO, Coun. KRISTIAN ROME T. SY, Coun. NIÑA SHIELA B. LOPEZ, Coun. LOUIE P. NOLASCO Coun. CHIQUI MARIE N. CARREON,, Coun. BIENVENIDO S. BARTOLOME, JR., and Coun. EXEQUIEL D.J. SERRANO.

WHEREAS, the City Government of Valenzuela is mandated under the 1987 Constitution and the Local Government Code to "adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost" and that "there shall be priority for the needs of the underprivileged, sick, elderly, disabled, women and children".

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the *Local Government Code of 1991* (hereafter, the "*Local Government Code*") mandates that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

WHEREAS, the City Government of Valenzuela is committed to provide a safe haven for poor, abandoned, abused, and disadvantaged Valenzuelano senior citizens and enable them to have equitable access to medical and physical home care through personalized and intelligent evidence-based psycho-social and spiritual modalities;

WHEREAS, Section 76 of the *Local Government Code* empowers local government units to design and implement its own organizational structure and staffing pattern, taking into consideration its service requirements and financial capability, subject to the minimum standards and guidelines prescribed by the Civil Service Commission and other relevant laws;

WHEREAS, Section 458 (a)(1)(viii) of the *Local Government Code* empowers the Sangguniang Panlungsod to "determine the positions and the salaries, wages,



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allowances and other emoluments and benefits of officials and employees paid wholly or mainly from city funds and provide for expenditures necessary for the proper conduct of programs, projects, services, and activities of the city government”;

WHEREAS, it is envisioned that through the establishment of the Bahay Kanlungan, we can give a caring home to qualified Valenzuelano *lolos* and *lolas* and provide the love and care that our elders deserve;

WHEREAS, in view of the foregoing, it thus becomes necessary to create a functional office that should provide administrative, operational and technical support to Bahay Kanlungan and provide funding therefor.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF VALENZUELA CITY IN SESSION ASSEMBLED:

**ARTICLE I
GENERAL PROVISIONS**

SECTION 1. Purpose and Coverage - This Ordinance, which shall be known as the "**Bahay Kanlungan Ordinance**", is hereby promulgated for purposes of prescribing the necessary rules and regulations for the creation of the Valenzuela City Bahay Kanlungan - Tahanan ni Lolo at Lola and to provide funds therefor.

SECTION 2. Definition of Terms - For purposes of this Ordinance, the following terms, words, and phrases shall mean or be interpreted as follows:

- (a) **Senior Citizen or Elderly** shall refer to any person at least sixty (60) years of age;
- (b) **Person with Disability or Impairment (PWDI)** shall mean any person regardless of age inflicted with disability or impairment.

Disability shall mean any restriction or lack (resulting from impairment) of ability to perform an activity in the manner or function with normal range of a person (*United Nations World Programme of Action Concerning Disabled Persons*).

Impairment shall mean any loss or abnormalities of psychological, physiological, or anatomical structure or function (*United Nations World Programme of Action Concerning Disabled Persons*).

- (c) **Qualified Elderly or PWDI** shall mean an Abandoned, Abused, Neglected, Needy, or Frail Elderly or PWDI who has been determined by the CSWDO to be qualified and entitled to the services of the Bahay Kanlungan;

An **Abandoned Elderly or PWDI** shall mean a Senior Citizen or PWDI who has no means of meeting his/her basic needs for survival and whose family has deserted him/her and thus the appropriate care, protection and support are not met.



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A **Neglected Elderly or PWDI** shall mean a Senior Citizen or PWDI whose basic needs for survival have been deliberately unattended or inadequately attended to by his/her family.

An **Abused Elderly or PWDI** shall mean a Senior Citizen or PWDI who is a victim of physical, mental, psychological, sexual, verbal or economic abuse.

A **Frail Elderly or PWDI** shall mean a Senior Citizen or PWDI who is unable to care for himself/herself or unable to perform or sustain activities of daily living due to illness, physical or mental disability.

A **Needy Elderly or PWDI** shall mean a Senior Citizen or PWDI who is a victim of natural or man-made disasters and is unable to care for himself/herself.

- (d) **Home Care Services** shall mean the provision of a livable facility for the care of a Qualified Senior Citizen or PWDI, which may include medical, psychotherapeutic, psychosocial, spiritual, or such other evidence-based treatments applied in accordance with the specific needs of a Qualified Senior Citizen or PWDI.
- (e) **Direct Service Cost** shall pertain to costs or valuation of items and services that are directly consumed or incurred by the Qualified Senior Citizen or PWDI, including, but not limited to basic personal items such as food, clothing, toiletries and linens, expenses for socio cultural recreational and spiritual activities, educational, legal/paralegal assistance, and livelihood services.
- (f) **Indirect Service Cost** shall pertain to the costs incurred in sustaining the services and operations of Bahay Kanlungan, such as, but not limited to, electricity and water consumptions, communication expenses, office supplies, maintenance and repairs, and janitorial services.
- (g) **Medical Treatment Cost** shall pertain to costs of medical services rendered to a Qualified Senior Citizen or PWDI, including, but not limited to, medication, laboratory tests and procedures, medical assessment and diagnosis.
- (h) **Family Income** shall refer to the aggregate income of the immediate family members of the Qualified Senior Citizen or PWDI, which shall include compensation income, property income, and pension derived from sources within or without the Philippines, net of government contributions and taxes, if any.
- (i) **Indigent** shall refer to an individual who has no apparent and actual means of livelihood or income, or whose livelihood income is insufficient to sustain his/her immediate family's basic needs of food, health, education, housing and



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other essential amenities of life, as certified by the local social worker in accordance with the prevailing guidelines issued by the CSWDO.

- (j) **Poverty Threshold** shall refer to the minimum income required or the minimum amount to be spent by a family to satisfy the nutritional requirements and other basic needs of its members. As of the first quarter of the year 2019, the Philippine Statistics Authority has determined the Poverty Threshold for National Capital Region to be Ten Thousand Four Hundred Eighty One (PhP10,481.00). The Poverty Threshold shall be subject to periodic review by the Philippine Statistics Authority.
- (k) **CSWDO** shall mean the Valenzuela City Social Welfare and Development.
- (l) **DSWD** shall mean the Department of Social Welfare and Development.

ARTICLE II
THE BAHAY KANLUNGAN OFFICE

SECTION 3. Bahay Kanlungan Office - The Bahay Kanlungan Office shall be the operational and administrative governing office of the Bahay Kanlungan and shall be attached to the Office of the City Mayor and CSWDO for purposes of funding, policy and program coordination.

SECTION 4. Mandate - Pursuant to the City Government of Valenzuela's moral, social and legal responsibility to address the needs of Qualified Senior Citizens and PWDI, the Bahay Kanlungan shall serve as a residential facility for the care of Qualified Senior Citizens and PWDI in accordance with Republic Act No. 7876, otherwise known as "An Act Establishing a Senior Citizens Center in all Cities and Municipalities of the Philippines and Appropriating Funds Therefore" and Republic Act No. 10070, otherwise known as the "Magna Carta for Disabled Persons", and other related laws and regulations.

The Bahay Kanlungan shall provide comprehensive long or short-term Home Care Services to Qualified Senior Citizens and PWDI.

Subject to prior compliance with applicable laws, rules and regulations, the Bahay Kanlungan may provide vocational training, technical education and skills training to Qualified Senior Citizens and PWDI.

ARTICLE III
ORGANIZATIONAL STRUCTURE AND STAFFING

SECTION 5. Organizational Structure - The Bahay Kanlungan Office shall consist of the following constituent units:

- (A) Administrative and Management Unit; and
- (B) Social Services Unit.



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SECTION 6. Head of Office - It is hereby created the position of Center Head/Social Welfare Officer IV. The Center Head/Social Welfare Officer IV shall be appointed by the City Mayor. He/she shall be the focal person of the Bahay Kanlungan Office's programs, projects, services, and activities. He/she must be a Registered Social Worker with four (4) years supervisory or managerial experience or its equivalent professional grade eligibility or relevant training.

The Center Head/Social Welfare Officer IV may be a non-social work graduate provided that he/she has at least attended ten (10) days or eighty (80) hours of relevant trainings recognized by the DSWD with three (3) years supervisory or managerial experience in a related field.

SECTION 7. Organizational Components, Compensation and Qualification Standards - The Bahay Kanlungan Office shall have the following positions and staffing pattern in accordance with the rules and regulations promulgated by Civil Service Commission.

<u>POSITION</u>	<u>SALARY GRADE</u>	<u>EDUCATION</u>	<u>EXPERIENCE</u>	<u>ELIGIBILITY</u>
Center Head/Social Welfare Officer IV	22	Bachelor's Degree relevant to the position	4 years in positions involving management and supervision	Career Service Professional
Social Welfare Officer III	18	Bachelor's Degree in Social Work	2 years of relevant experience	Republic Act No. 1080(Social Worker)
Two (2) Social Welfare Officer II	15	Bachelor's Degree in Social Work.	1 year of relevant experience	Republic Act No. 1080(Social Worker)
Psychologist I	11	Master's degree in Psychology	None Required	Republic Act No. 10029(Psychologist)
Medical Officer III	21	Doctor of Medicine	None Required	Republic Act No. 1080
Nurse III	19	Bachelor of Science in Nursing.	One (1) year of relevant experience.	Republic Act No. 1080
Three (3) Nurse II	17	Bachelor of Science in Nursing.	One (1) year of relevant experience	Republic Act No. 1080
Physical Therapist II	15	Bachelor of Science in Physical therapy	One (1) year of relevant experience.	Republic Act No. 1080
Occupational Therapist II	15	Bachelor of Science in Occupational	One (1) year of relevant	Republic Act No. 1080



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		therapy	experience.	
One (1) Nutritionist and Dietitian	11	Bachelor's degree major in Nutrition, Dietetics of Community Nutrition	None Required	Republic Act No. 1080
Administrative Officer II (AO1)	11	Bachelor's Degree	None Required	Career Service (Professional)
Two (2) Admin Aide VI Clerk III	6	Completion of two years studies in college	None Required	Career Service (SubProfessional)
Three (3) Admin Aide VI	6	High School Graduate	None Required	None Required
Maintenance General Foreman	8	High School Graduate	One (1) year of relevant experience.	None Required

In accordance therofor, the positions immediately above-enumerated are hereby created.

SECTION 8. Duties and Responsibilities - The following personnel shall have the following functions and duties, to wit:

- (a) **City Government Assistant Department Head II** - The City Government Assistant Department Head II shall oversee and supervise the operations of the Bahay Kanlungan Office and ensure the well-being of the Qualified Senior Citizens and PWDI within the premises of the Bahay Kanlungan. He shall to implement all key administrative processes that relate to determination of an applicant's suitability for Home Care, drafting of all communications, reports, and other legal documents, and such other matters arising from and related to the home care process.
- (b) **Licensed Medical Officer, Nurses, Nursing Attendants, Physical Therapists and Occupational Therapists** - The medical officer, nurses, administrative attendants, physical therapists, and occupational therapists shall provide comprehensive medical services to each Qualified Senior Citizen and PWDI. They shall take active roles in preparing and maintaining patients' medical history, conducting physical and medical examinations, and medical procedures, whether for emergency situations or regular treatment.
- (c) **Licensed Social Worker** - The social worker shall be primarily responsible in drafting, maintaining and updating the Case Study and Progress Report for each Qualified Senior Citizen and PWDI residing within Bahay Kanlungan. He/she shall assess behavioral and emotional issues of each Qualified Senior Citizen and



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PWDI. He/she shall assess each Qualified Senior Citizen and PWDI's needs and develop and implement plans to improve their well-being.

- (d) **Psychologist** - The Psychologist shall be primarily responsible in identifying behavioral and emotional disorders of Qualified Senior Citizens and PWDI and develop and implement treatment plans to address the same. He/shall employ psychological therapies, interventions, and counselling sessions to assist Qualified Senior Citizens and PWDI in managing their mental health issues.
- (e) **Clerk/Administrative Officers or Aide** - The Clerk/ Administrative Aide shall perform clerical duties for the Bahay Kanlungan Office, including the preparation of legal documents, maintaining and organizing the filing system of the office, maintain a schedule of treatments and activities, legal processes, meetings, and other proceedings, and to provide such other assistance to the other personnel of the Bahay Kanlungan Office in the performance of their respective functions.
- (f) **House Parent** - The House Parent shall perform tasks relating to personal care, house-keeping, meal preparations, study, and recreational activities of the Qualified Senior Citizens and PWDI.
- (g) **Nutritional Dietician** - The Nutritional Dietician shall be responsible to develop and implement nutritional programs based on the health needs of Qualified Senior Citizens and PWDI.
- (h) **Maintenance General Foreman** - Maintenance General Foreman shall oversee the overall physical maintenance of the facility.

ARTICLE IV
ADMISSION

SECTION 9. Manual of Operations. - The Program Manager shall draft and implement, with the prior approval of the City Mayor and Head of the CSWD, a Manual of Operations for the Bahay Kanlungan in accordance with pertinent rules and regulations issued by the DSWD. The Manual of Operations shall contain, among others, the following minimum requirements for availment of the services of the Bahay Kanlungan, to wit:

A. For Voluntary Admission of Qualified Senior Citizens and PWDI

- 1) Notarized *Deed of Voluntary Commitment*;
- 2) *Certificate of Indigency* issued by the CSWDO, if any;
- 3) The Qualified Senior Citizen or PWDI's immediate family members' latest pay slip, *Certificate of Employment* or Bureau of Internal Revenue *Income Tax Return* or *Certificate of Tax Withheld*, whichever is applicable;
- 4) Letter of intent from the applicant or his/her immediate family;
- 5) Photocopy of *Birth Certificate*;



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- 6) *Barangay Certificate of Residency*;
- 7) *Psychiatric Evaluation Report*; and

B. For Compulsory Admission of Qualified Senior Citizens and PWDI

- 1) *Barangay Blotter*
- 2) *Referral Letter made by attending Social Worker*
- 3) *Initial Social Case Study Report*
- 4) *Medical Certificate*
- 5) *Psychiatric Evaluation conducted by a DOH-accredited psychologist or psychiatrist;*
- 6) *Order of admission issued by a court of proper jurisdiction;*
- 7) *Barangay Certificate of Residency, if any;*
- 8) *Certificate of Indigency issued by the CSWDO, if any.*

ARTICLE V

COST OF CARE AND MAINTENANCE

SECTION 10. Components and Standard Cost of Care and Maintenance - The Bahay Kanlungan shall provide Home Care Services in accordance with the following rules and regulations, to wit:

A. For Qualified Senior Citizens Residing and PWDI within Valenzuela City

- i. The Bahay Kanlungan shall provide Home Care Services to Indigent residents of Valenzuela City free of charge;
- ii. Should the applicant or his immediate family's income be above the Poverty Threshold by fifty percent (50%) or less, the monthly rate shall be Three Thousand Nine Hundred Pesos (PhP3,900.00); and
- iii. Should the applicant or his immediate family's income be above the Poverty Threshold by more than fifty percent (50%), the monthly rate shall be Five Thousand Pesos (PhP5,000.00);

Provided, however, that any and all fees collected from the resident Elder or PWDI shall be applied solely to Direct Service Costs incurred by the Bahay Kanlungan.

B. For Qualified Senior Citizens Residing Outside Valenzuela City

The Bahay Kanlungan may provide Home Care Services to non-resident Qualified Senior Citizens and PWDI and charge each a monthly fee of Fifteen Thousand Pesos (PhP15,000.00). In addition thereto, non-resident Qualified Senior Citizens and PWDI shall be solely responsible for any and all Medical Treatment Costs incurred for his benefit and account.



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Summary

<u>Is the applicant Qualified Senior Citizens or PWDI a Resident of Valenzuela City?</u>	<u>Monthly Income</u>	<u>Monthly Fee</u>
No		PhP15,000.00
Yes	Above the Poverty Threshold by more than fifty percent (50%)	PhP5,000.00
Yes	Above Poverty Threshold by fifty percent (50%) or less	PhP3,900.00
Yes	Indigent	Free of Charge

**ARTICLE VI
LEARNING CENTER**

SECTION 11. Affiliation and Training- The Bahay Kanlungan Office may enter into a *Memorandum of Affiliation* with the Pamantasang Lungsod ng Valenzuela, Valenzuela City Polytechnic College, and such other duly registered learning institutions for the learning and training of Qualified Senior Citizens and PWDI.

**ARTICLE VII
BAHAY KANLUNGAN CONSULTATIVE AND OVERSIGHT COMMITTEE**

SECTION 12. Bahay Kanlungan Consultative and Oversight Committee - The Bahay Kanlungan Consultative and Oversight Committee (hereafter referred to as the "Bahay Kanlungan Committee") is hereby created to serve as a consultative body and exercise oversight functions over the operations of the Bahay Kanlungan Office.

SECTION 13. Composition - The Bahay Kanlungan Committee shall be composed of the following members:

CHAIRMAN: City Mayor

VICE-CHAIRMAN: Department Head or Officer in Charge of the CSWDO

MEMBERS: Bahay Kanlungan Office Program Director

Sangguniang Panlungsod Representative, preferably the Chairman on Senior Citizen Affairs

Head of the Office of Senior Citizen Affairs

Head of the Persons with Disability Affairs Office

Representative from the City Legal Office



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Department Head or Officer in Charge of the City Health Office

Officer in Charge or City Director of the Department of Interior
and Local Government for Valenzuela City

Chief of Staff for the City Mayor

Representative from accredited civil groups for senior citizens

Representative from the religious sector

SECTION 14. Meetings - The Bahay Kanlungan Committee shall conduct its regular meeting on a quarterly basis at such place and time as may be convenient for its members. The special meetings of the Bahay Kanlungan Committee, for any purpose or purposes, may at any time be called by any of the following: (a) upon the written request of the majority of its members; or (b) the Chairman.

SECTION 15. Resolution of Issues - Any question, issue or conflict arising from the implementation of this Ordinance, including matters not covered by the provisions herein, shall be resolved by the Bahay Kanlungan Committee.

**ARTICLE VIII
FUNDING SOURCE**

SECTION 16. Funding Support. - The City Social Welfare and Development Office (CSWDO) shall allocate funds to cover the salaries of the Bahay Kanlungan Office personnel and such other operating expenses and capital outlay necessary for the operation of the Bahay Kanlungan Office.

SECTION 17. Creation of a Special Account. - Any and all amounts collected pursuant to Article V hereof [Cost of Care and Maintenance] shall be deposited to the account of the Bahay Kanlungan Office as a Special Account. The Program Director shall administer the Special Account, which may be utilized for Direct Service Costs, Indirect Service Costs, procurement of office supplies, provisions, and day to day operations of the Bahay Kanlungan Office. For this purpose, the Program Director shall immediately initiate the creation of a Special Account with the City Treasurer's Office.

**ARTICLE IX
FINAL PROVISIONS**

SECTION 18. Administrative Liability For Abandonment Of Senior Citizens - Nothing in this Ordinance shall be construed to exempt or condone any person from liability under Valenzuela City Ordinance No. 158, Series of 2014, otherwise known as the *Protection of the Elderly Against Abuse Ordinance*, which have attached, occurred or accrued prior to voluntary or compulsory admission of Senior Citizens to Bahay Kanlungan.



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SECTION 19. Separability Clause - Should any provision in this Ordinance, or application of such provision to any circumstance, is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

SECTION 20. Effectivity. - This Ordinance shall take effect on the day following its publication as required under the Local Government Code.

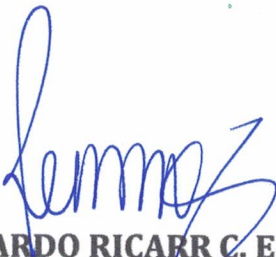
ENACTED.

MARCH 15, 2021.

VALENZUELA CITY, METROPOLITAN MANILA.

HON. CRISSHA M. PINEDA
Councilor
Minority Floor Leader


HON. KIMBERLY ANN GALANG-TIANGCO
Councilor
Asst. Majority Floor Leader


HON. RICARDO RICARR C. ENRIQUEZ
Councilor
Asst. Minority Floor Leader


HON. RAMON L. ENCARNACION
Councilor


HON. KRISTIAN ROME T. SY
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Councilor


HON. EXEQUIEL D. SERRANO
Councilor

(President, League of Barangays)

(President, Sangguniang Kabataan Federation)



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ATTESTED:

ANTONIO R. ESPIRITU
Secretary to the Sanggunian

CERTIFIED CORRECT:

HON. ROVIN ANDREW M. FELICIANO
City Councilor
Majority Floor Leader
Temporary Presiding Officer

APPROVED:

HON. REXLON T. GATCHALIAN
City Mayor

Date Signed: _____

for Atty