

**REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD
-oOo-**

**CITY ORDINANCE NO. 518
February 17, 2010**

AN ORDINANCE FOR THE DEVELOPMENT OF THE HEALTH AND WELLNESS INDUSTRY IN THE CITY OF BACOLOD AND PROVIDING FUNDS FOR THE IMPLEMENTATION THEREOF.

WHEREAS, after the IT-enabled outsourcing industry, the Philippines has now clinched the tag of being the “Heart of Asia” after its successful summit last 2008 dubbed as the “Embracing Health and Wellness in the Heart of Asia” and touted as the biggest medical tourism and wellness summit in Asia. “Embracing Health and Wellness in the Heart of Asia” brought together government policy and major players in the medical, health and wellness sectors. They will present how the Philippines reap the economic and social benefits of being a major player in the globalization of healthcare in the 21st century;

WHEREAS, the Philippine government is aggressively backing a national campaign to turn the country into a hub of medical and wellness tourism because according to the report “2008 Survey of Health Care Consumers” by top research firm Deloitte (through their Deloitte Center for Health Solutions) some 750,000 US citizens traveled abroad to get medical care. That number is expected to reach a whopping 6 million by 2010. The Deloitte report states that Americans spent \$2.1 billion for medical care overseas in 2007. By 2010, that amount is projected to balloon to as much as \$79.5 billion in 2010;

WHEREAS, in a 2006 study of Globalysis, it appears that the value of the world’s health and wellness tourism industry is \$40 billion and this is projected to soar to \$60 billion in 2012, indicating that health and wellness is the fastest growing segment of the tourism industry. The Asian market alone consists of 1.5 million medical tourists, spending a daily average of \$362 compared with the \$144 of regular inbound visitors;

WHEREAS, Tourism Secretary Joseph Ace Durano cited the Philippines competitive advantage over other countries in Asia who are already into medical and wellness tourism such as Singapore, Malaysia and Thailand and stressed that the Philippines, with its relaxing and peaceful tropical paradise settings, its world class health care facilities, its wellness providers, and its cheerful, optimistic, kind and compassionate people make the Philippines the ideal wellness destination;

WHEREAS, stakeholders today must look at the three different health and wellness clusters that the Philippines has today. Firstly, the Medical Tourism Cluster. These are composed of our modern, high-tech and world-class hospitals and medical centers, which are staffed by the most competent doctors and medical professionals. Secondly, the Retirement Cluster. This cluster includes retirement villages, nursing homes and hospitals. Thirdly, the Wellness Cluster which includes spas, holistic therapies, traditional Filipino massage and complimentary medicine. The Philippines is the only country that covers all three clusters of health and wellness.

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NOW THEREFORE, be it ordained by the Sangguniang Panlungsod of Bacolod, that:

ARTICLE 1. SHORT TITLE. This ordinance shall be known as the Health and Wellness Industry Ordinance of Bacolod City.

ARTICLE 2. DEFINITION OF TERMS. The following terms as used in this Ordinance shall be defined as follows:

Section 1. The health and wellness tourism industry shall be broadly defined, to include products and services made accessible to people traveling from their place of residence for health reasons. In addition to conventional healthcare (medical), this definition encompasses health and wellness, spa tourism, convalescent addiction treatment, retirement communities, and some alternative health services as defined by World Bank (World Bank 2005).

Section 2. Medical tourism covers a comprehensive range of therapeutic services including general surgery, orthopedics, urology, gynecology, ophthalmology, dialysis, cardiology and cardiac surgery.

Section 3. Wellness spas are further categorized as destination spas and medical spa where the health and wellness properties of the location are ideal for access to medical services, fitness programmes and resort amenities.

Section 4. Nursing and elderly care represents an alternative solution to the prohibitive costs associated with private long-term care, at a time when aging populations in many developing countries are underserved by the limited role of the state in care provision.

Section 5. Research and diagnostic services include medical transcription and medical testing services.

Section 6. Access refers to the ability to obtain the appropriate level of medical information or treatment that relates their condition.

Section 7. Awareness means the knowledge and understanding of their physical or mental condition and where to find resources and services for those conditions.

Section 8. Chronic diseases are diseases that interfere with a body system leading to physical disability or death.

Section 9. Cost-Effective Strategies are the cost of prevention which is cheaper than the cost of cure.

Section 10. Screening Services are procedures which detect diseases in their early stages.

Section 11. Pursuant to the objectives of the Department of Tourism under its Rules and Regulations to Govern the Accreditation of Spa pursuant to the provision of Executive Order No. 10 dated January 30, 1987, the following terms as defined therein are hereby adopted in this Ordinance and shall also be defined as follows:

- a. **Spa** – is a facility that exudes a tranquil environment offering various amenities and services intended to relieve stress, pamper the body and make one feel relaxed and rejuvenated to promote a healthier way of life.
- b. **Day Spa** – is a spa offering a variety of professionally administered spa services to clients on a day use basis.
- c. **Destination Spa** – is a spa which has for its sole purpose to provide clients with lifestyles improvement and health enhancement through professionally administered spa services, physical fitness, education programming and on-site accommodation where spa cuisine or healthy food is offered.
- d. **Resort/Hotel Spa** – is a spa owned and located within a resort or hotel providing professionally administered spa services, fitness and wellness components.
- e. **DOT** is the Department of Tourism
- f. **DOH** is the Department of Health
- g. **Accreditation** is the certification issued by the Department officially recognizing the holders as having complied with the minimum standards and requirements prescribed by the Department for the operation and maintenance of spa.

ARTICLE 3. SEGMENTS OF THE HEALTH AND WELLNESS INDUSTRY. For purposes of ordinance, the health and wellness tourism market of Bacolod can be divided into segments:

- a. Medical Tourism
- b. Wellness and Spas
- c. Nursing and Elderly Care
- d. Research and Diagnostic Services
- e. Health and Organic Products
- f. Alternative Modalities

ARTICLE 4. MINIMUM STANDARD REQUIREMENTS FOR WELLNESS CENTERS AND SPAS. For purposes of this Ordinance, the City shall set minimum standard requirements for the operation for the regulation and maintenance of spa in accordance with latest national laws and policies.

Section 1. The following shall be minimum requirements for facilities:

- a. **Location and Environment** – The spa shall be situated in a safe and reputable location with clean, calm and relaxing environment.
- b. **Lounge and Reception Counter** – There shall be a reception counter attended by qualified staff and reasonably furnished lounge with seating facilities commensurate with size of the spa.
- c. **Washrooms** – There shall be separate clean and adequate washroom for male and female provided with running water, hand dryer and toiletries.
- d. **Lockers** – There shall be separate male and female lockers for guests.
- e. **Shower Rooms** – There shall be separate male and female shower and changing rooms.
- f. **Treatment Rooms** – There shall be separate unlocked treatment rooms for male and female.

Section 2. The following shall be minimum requirement services in addition to other spa-related amenities which it may offer.

- a. **Massages** – Swedish, Lymph Drainage and Reflexology;
- b. Steam, Sauna and/or Water Baths;
- c. **Body Treatment** – One or more of the following body packs and wasp, exfoliation, body toning/contouring, waxing and foot care;
- d. **Steam, Sauna and Water Baths** – The steam, sauna and water baths shall be maintained in a level of temperature which will not cause adverse reactions to user. Safety signages shall be provided to include information on allowable maximum temperature, duration of stay and guide in operating temperature regulator;
- e. **Line** – There shall be adequate supply of linen, towels and appropriate garments such as sarongs of good quality which shall be kept clean;
- f. **Employees Facilities** – There shall be adequate and well-maintained lockers and bathrooms for male and female employees.
- g. **Parking** – There shall be adequate secured parking space provided for free to customers/guests.

- h. **First Aid Cabinet** – There shall be a well-stocked first aid cabinet available at all times; and
- i. **Facilities for Disabled** – There shall be facilities and provisions for the disabled in accordance with Batas Pambansa Blg. 344 promulgated on May 1985, otherwise known as an Act Enhancing the Mobility of Disabled Persons.

Section 3. The following shall be guidelines for supervision of licensed spa establishments:

- a. Spa operators shall provide services that are safe, comfortable and convenient as possible.
- b. Maintenance of all sections of the spa shall be on a continuing basis taking into consideration the quality of equipment and supplies;
- c. Before the issuance of the mayor’s permit, the spa shall secure an annual endorsement from the Committee on Health and Sanitation of the Sangguniang Panlungsod for entitlement to any certificate of accreditation and sticker shall be displayed in a conspicuous place of the establishment.
- d. The certificate of accreditation or mayor’s permit shall be non-transferable.
- e. When necessary or when the public good dictates, the DOH or the City Health Office may send an inspection team to the establishment for the purpose of finding out whether it is being kept and/or managed in a manner conformable to the standards set by the DOH. The inspection shall be conducted at a reasonable time of the day with due regard and respect accorded to the right of privacy of parties concerned.

Section 5. There shall be adequate number of well-trained, well groomed, experienced, courteous and efficient staff. There shall be at least one DOH-registered massage therapist supervising a maximum of 50 attendants; and the staff shall wear clean, proper and non-transparent uniform at all times. The massage therapist shall be required to secure health certificates required of professionals by national law.

Section 6. The attendants certified as working in the spa who are supervised and endorsed by DOH-registered massage therapist shall only secure health permit granted to workers in the health and wellness profession and shall not be required to secure a health permit known as “pink card”, provided that their names are accordingly submitted on a monthly basis to the City Health Office.

ARTICLE 5. BACOLOD HEALTH AND WELLNESS COMMITTEE (BHWC). The City shall create a Bacolod Health and Wellness Committee (BHWC) to assist, guide and support the city government in developing and promoting the local health and wellness industry as one of the world-class destinations for medical and wellness tourism in the world.

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Section 1. The BHWC shall perform advisory and coordinating functions among the stakeholders of the health and wellness medical tourism and retirement industry. It shall assist in the preparation of plans and strategies to increase the jobs and revenues realizable in the said industry.

Section 2. The City Mayor shall convene the BHWC within six (6) months from the beginning of his or her term with representatives coming from the following sectors and offices, as follows:

- a. Hospitals, Clinics and Medical Centers
- b. Spa and Wellness Center
- c. Nursing and Elderly Care Centers
- d. Research and Diagnostic Services
- e. Health Professional
- f. Organic Products
- g. Alternative Modalities
- h. Air, Water and Land Transport
- i. Hotels and Restaurant
- j. Academe (offering Hospitality Management and Tourism)
- k. Business Sector
- l. City Health Office
- m. Sangguniang Panlungsod, Committee on Health
- n. City Tourism Officer

Section 2. The BHWC shall prepare the official guidelines and checklist for the accreditation of the spa establishments by the Sangguniang Panlungsod.

ARTICLE 8. BUDGET. The City shall appropriate a budget of at least One Million Pesos (P1,000,000.00) for the proper implementation of this Ordinance.

ARTICLE 9. SEPARABILITY CLAUSE. If any provision or part thereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

ARTICLE 10. EFFECTIVITY. This ordinance shall take effect immediately upon its approval in accordance with law.

CARRIED BY THE VOTE OF:

Affirmative:

Councilors : Greg G. Gasataya, Homer Q. Bais, Jocelle Batapa-Sigue, Dindo C. Ramos, Wilson C. Gamboa, Jr., Al Victor A. Espino, Napoleon A. Cordova, Celia Matea R. Flor, Catalino T. Alisbo, Roberto M. Rojas, Alex A. Paglumotan.

Negative : N o n e .

Absent : N o n e .

Official Leave: Councilor Reynold I. Iledan.

Main Author : Councilor Jocelle Batapa-Sigue.

Co-Author : Councilor Napoleon A. Cordova.

Passed : February 17, 2010 (137th Regular Session).

Comments: P a s s e d .
Councilors Diosdado A. Valenzuela and Kevin Daniel L. Ramos were not around when this ordinance was passed..

JUDE THADDEUS A. SAYSON

Vice Mayor
Presiding Officer

ATTESTED:

ATTY. NILO T. ALEJANDRINO

Secretary to the Sanggunian

APPROVED: March, 2010.

EVELIO R. LEONARDIA

City Mayor

NTA/HPL/**jbz**