

****Title: Mangune v. Ermita - Constitutionality of Executive Order No. 567****

****Facts:****

1. On July 25, 1994, Republic Act No. 7842 was enacted, establishing the Taguig-Pateros District Hospital (TPDH) under the administration and supervision of the Department of Health (DOH).
2. On September 8, 2006, President Gloria Macapagal-Arroyo issued Executive Order No. 567 (E.O. No. 567), devolving the administration and supervision of TPDH from the DOH to the City of Taguig.
3. On October 18, 2006, City of Taguig Mayor Sigfrido R. Tinga issued Executive Order No. 053, formalizing the plan for the City of Taguig's takeover of TPDH operations.
4. On October 23, 2006, the City of Taguig and the DOH entered into a Memorandum of Agreement (MOA) outlining the transition and transfer of TPDH operations.
5. Petitioners, who were employees at TPDH, submitted a position paper objecting to E.O. No. 567 to DOH Secretary Francisco Duque III on November 6, 2006. The DOH took no action.
6. Petitioners also wrote to the Office of the President requesting deferment of E.O. No. 567's implementation; there was no response.
7. On January 3, 2007, Mayor Tinga issued Executive Order No. 001, creating the TPDH Management Team to implement the MOA and conduct an inventory.
8. On January 15, 2007, petitioners filed a Petition for Declaratory Relief in the Regional Trial Court (RTC) of Manila.
9. On January 26, 2007, petitioners filed an amended Petition for Prohibition and Certiorari with a prayer for a Temporary Restraining Order (TRO). The RTC denied the TRO requests.
10. The RTC declared the Municipal Government of Pateros in default due to its failure to file an answer.
11. The RTC dismissed the petition on January 2, 2008, asserting the constitutionality of E.O. No. 567. The petitioners' Motion for Reconsideration was denied on April 14, 2008.
12. Petitioners appealed to the Supreme Court.

****Issues:****

1. Whether the doctrine of exhaustion of administrative remedies applies in this case.
2. Whether Executive Order No. 567 is constitutional.

****Court's Decision:****

1. **Doctrine of Exhaustion of Administrative Remedies:**

- The Supreme Court ruled that the doctrine does not apply here as the case involved a purely legal question regarding the constitutionality of E.O. No. 567. Thus, the petitioners were justified in seeking judicial intervention without exhausting administrative remedies.

2. **Constitutionality of E.O. No. 567:**

- **Statutory and Constitutional Basis:**

- E.O. No. 567 was consistent with Section 17 of the Local Government Code, which mandates the devolution of basic services and facilities to local government units.

- The President's authority to reorganize executive branch offices, including the DOH, was affirmed per *Tondo Medical Center Employees Association v. Court of Appeals and Malaria Employees' Association v. Romulo*.

- **Compliance with Procedural Requirements:**

- E.O. No. 567 was presumed valid as there was no objection to its procedural promulgation.

- **Not Ultra Vires:**

- The Court rejected the claim that Section 17(e) of the Local Government Code restricts devolution to six months post-effectivity. The six-month period was intended to prompt speedy devolution rather than impose a rigid deadline.

- There was no law explicitly prohibiting devolution after the six-month period.

- **DOH IRR Argument:**

- Petitioners' argument that Article 25 of the DOH IRR exempted district health offices and hospitals in NCR was dismissed. The Local Government Code empowered the Oversight Committee, not the DOH, to issue IRR. Furthermore, any alleged DOH IRR must comply with the President's control.

3. **Reasonableness:**

- E.O. No. 567 was found reasonable, aiming to decentralize health services for improved local governance, aligning with the objectives of the Constitution and the Local Government Code.

Thus, the Supreme Court upheld E.O. No. 567's validity and constitutionality. The appeals were dismissed, and the RTC's decisions affirmed.

Doctrine:

- **Doctrine of Exhaustion of Administrative Remedies:** Non-applicable when the issue is purely legal.
- **Presidential Reorganization Authority:** The President can reorganize executive departments for efficiency and economy, upheld in Tondo Medical Center Employees Association and Malaria Employees' Association cases.
- **Devolution under the Local Government Code:** Favors local autonomy and does not restrict devolution to a specified period.

Class Notes:

1. **Exhaustion of Remedies:** Legal questions can bypass administrative remedies (*Cudia v. The Superintendent of the Philippine Military Academy*).
2. **Local Government Code, Sec. 17:** Mandates devolution of services, favoring local governance.
3. **Presidential Powers:** Valid reorganization of executive departments (Administrative Code of 1987, CONSTITUTION, Art. VII, Sec. 17).
4. **Procedural Validity:** Presumption of regularity in administrative acts unless strong evidence indicates otherwise.

Historical Background:

Post the 1987 Philippine Constitution, decentralization became a constitutional mandate to foster local autonomy. Executive Order No. 567's devolution of TPDH to local governance was part of ongoing efforts to implement the Local Government Code of 1991's decentralization policy, aiming to empower local units to manage basic services effectively. The Supreme Court's ruling in *Mangune v. Ermita* further entrenched this decentralization ethos by upholding executive reorganization as a means to strengthen local government capabilities.