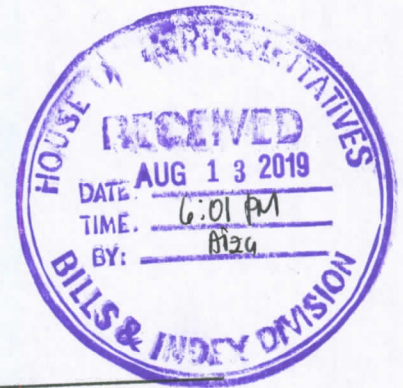


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

18th Congress
First Regular Session

HOUSE BILL NO. 3893



Introduced by: **HON. LORNA C. SILVERIO**

EXPLANATORY NOTE

Oral disease continues to be a serious public health problem in the Philippines. The oral health status of Filipino children is alarming. Past and recent surveys revealed that Filipinos bear the burden of gum diseases early in their childhood. According to the National Oral Health Survey, 74% of twelve-year-old children suffer from gingivitis. If not treated early, these children become susceptible to irreversible periodontal disease as they enter adolescence and approach adulthood.

In general, tooth decay and gum diseases do not directly cause disability or death. However, these conditions can weaken bodily defenses and serve as portals of entry to other more serious and potentially dangerous systemic diseases and infections. Serious conditions include arthritis, heart disease, endocarditis, gastrointestinal diseases, and ocular-skin-renal diseases. Aside from physical deformity, these two oral diseases may also cause disturbance of speech significant enough to affect work performance, nutrition, social interactions, income, and self-esteem. Poor oral health poses detrimental effects on school performance and spoils success in later life. In fact, children who suffer from poor oral health are 12 times more likely to have restricted-activity days. In the Philippines, toothache is a common ailment among schoolchildren, and is the primary cause of absenteeism from school. Indeed, dental and oral diseases create a silent epidemic, placing a heavy burden on Filipino schoolchildren.

In consonance with the State's recognition of the need to promote the physical well-being of children, including promoting their right to health, and making health services adequate to all, this bill seeks to ensure that quality, affordable, accessible and available oral health care delivery can be availed by unemancipated child below eighteen (18) years of age who have no visible means of support or whose parents or guardians have no means of providing for their immediate medical and dental needs.

For the foregoing reasons, the passage of this bill is earnestly sought.


LORNA C. SILVERIO

Republic of the Philippines
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HOUSE BILL NO. 3893

Introduced by: HON. LORNA C. SILVERIO

AN ACT REQUIRING ALL GOVERNMENT AND PRIVATE HOSPITALS, MEDICAL CENTERS, CLINICS, INFIRMARIES AND PUERICULTURE CENTERS TO GIVE FREE MEDICAL AND DENTAL ASSISTANCE TO INDIGENT CHILDREN

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 as the "The Indigent Children Free Medical and Dental Service Act."

SEC 2. Declaration of Policy. - In consonance with the State's recognition of the need to promote the physical well-being of children, including promoting their right to health, and making health services adequate to all, it is hereby declared the policy of the State to provide for all possible assistance it could provide to children especially those who are unfortunate to have no means of support or have no one to support them.

SEC 3. Indigent Children. - For purposes of this Act, an indigent child shall refer to an unemancipated child below eighteen (18) years of age who have no visible means of support or whose parents or guardians have no means of providing for their immediate medical and dental needs.

SEC 4. Duty of the DSWD and DOH - The Department of Social Welfare and Development (DSWD) and the Department of Health (DOH) shall be tasked with the primary responsibility of implementing the provisions of this Act. For this purpose, the DSWD shall promulgate the necessary guidelines in order to determine if a child in need of medical and/or dental service may be considered indigent, taking into account the following factors:

- 1.) Age of the Child;
- 2.) Financial Condition of the family;
- 3.) Degree of deprivation of parental care and support; and
- 4.) Inability of his parents to exercise parental authority.

The DOH, on the other hand, shall coordinate and establish the necessary mechanisms and regulations to govern both government and private hospitals, medical centers, clinics, infirmaries and puericulture centers in the implementation of this Act.

The DSWD and DOH shall have the authority to promulgate the necessary rules and regulations for the purpose of carrying into effect the provisions of this Act.

SEC 5. Free Medical and Dental Services. – All government and private hospitals, medical centers, clinics, infirmaries, and puericulture centers duly licensed to operate as such, are hereby required to render medical and dental services to indigent children, regardless of whether or not they are in danger of dying and/or may have suffered physical injuries requiring immediate medical attention..

SEC 6. Incentives for Private Hospital, Medical Center, Clinic, Infirmary and/or Puericulture Centers. – The expenses and losses of earnings incurred by a private hospital, medical center, clinic, infirmary or puericulture center, or by an individual physician or dentist, for medicine, facilities and services extended to the care and treatment of an indigent child as required herein, in the amount not exceeding Five hundred Thousand Pesos (Php 500,000.00) per year, shall be considered deductible expenses and losses for income tax purposes, which may be carried for over a period of five (5) years.

To ensure compliance with the provisions of this Act, all indigent children treated by private hospitals, medical centers, clinics, infirmaries or puericulture centers shall secure a certification from the social worker assigned to the hospital, medical center, clinic, infirmary or puericulture center. This Certification shall contain the following information:

- 1.) Name of patient;
- 2.) That the patient is indigent and supporting proof thereof;
- 3.) Service/s rendered to the patient;
- 4.) Cost of such service/s based on the existing price list of the hospital, medical center, clinic, infirmary or puericulture center at the time of treatment; and
- 5.) Attestation from the social worker that all information contained therein are true and correct to his/her knowledge.

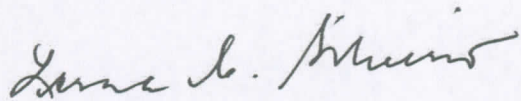
SEC 7. Penal Clause. – Any hospital director, administrator, officer-in-charge, physician or dentist in a hospital, medical center, clinic, infirmaries or puericulture center who shall refuse or fail without good cause to render the appropriate medical and dental services pursuant to this Act, after the child has been brought to his/her attention; or any nurse, midwife, medical or dental attendant who shall refuse to extend the appropriate assistance, subject to existing rules, or neglects to notify or call the attention of a physician or dentist in attendance, shall be punished with imprisonment of at least one (1) year or a fine of not more than One Hundred Fifty thousand (Php 150,000.00), or both fine and imprisonment, at the sound discretion of the court. The penalty herein imposed shall not prejudice any administrative sanctions that may be imposed by law.

SEC 8. Separability Clause. - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC 10. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

SEC 11. Effectivity. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,

A handwritten signature in dark ink, appearing to read "Lina L. Mucio". The signature is fluid and cursive, with the first name "Lina" and last name "Mucio" clearly distinguishable.