

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 862



Introduced by Representative Ferdinand L. Hernandez

AN ACT REQUIRING ALL NATIONAL, REGIONAL, AND PROVINCIAL GOVERNMENT HOSPITALS TO ESTABLISH, OPERATE AND MAINTAIN A DIALYSIS WARD OR UNIT IN THEIR RESPECTIVE HOSPITAL AND PROVIDING FREE DIALYSIS TREATMENT TO INDIGENT PATIENTS

EXPLANATORY NOTE

The Department of Health (DOH) has expressed alarm over the rising cases of kidney disease in the country. Based on the data from the DOH, more than 23,000 patients underwent dialysis treatment in 2013, a figure that is expected to increase by 10% to 12% in new patients every year. This figure does not include those suffering from kidney failure but are unable to undergo dialysis treatment due to its high cost and inaccessibility especially in the rural areas.

Dialysis treatment is needed on a regular and sustained basis. The optimum frequency of dialysis is three times a week but because of its cost and inaccessibility, some patients settle with less treatments resulting in a more progressive health deterioration. Patients from rural areas, who are suffering from kidney disorder, must travel to the urban cities to avail themselves of the treatment. To worsen matters, some patients have died without even having a chance to undergo dialysis because they could not afford it.

To supplement the government's efforts to reform the health sector and provide Filipinos with comprehensive health services mandated by the Constitution, local government units must be tapped to make healthcare services more affordable and accessible. Thus, this bill requires all national, regional and provincial government hospitals to establish, operate and maintain a dialysis ward or unit to ensure that dialysis treatment will be available, accessible and cost-effective especially to those living in the rural areas. Further, dialysis treatment must be provided to indigent patients free of charge.

The immediate approval of this proposed measure is earnestly sought.


FERDINAND L. HERNANDEZ

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Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

Section 1. Short Title. – This Act shall be known as the “Dialysis Center Act”

Section 2. Declaration of Policy. – It is the declared policy of the State to improve the delivery of health care services to the people and to ensure hospital facilities are available, affordable and accessible to the people.

Section 3. Definition of Terms. – For purposes of this Act, the following terms shall mean:

- a) **“Secretary”** shall refer to the Secretary of the Department of Health;
- b) **“National Government Hospital”** shall refer to a hospital operated and maintained either partially or wholly by the national government or by any department, division, board or other agency thereof;
- c) **“Regional Government Hospital”** shall refer to a hospital operated and maintained either partially or wholly by the national government or by any department, division, board or other agency thereof;
- d) **“Provincial Government Hospital”** shall refer to a hospital operated and maintained either partially or wholly by the provincial government or other political subdivision, or by any department, division, board or agency thereof; and
- e) **“Indigent Patient”** shall refer to a patient whose combined annual family

income does not exceed Thirty Thousand Pesos (P30,000.00).

Section 4. Establishment, Operation and Maintenance of a Dialysis Ward or Unit. – Within two (2) years from the effectivity of this Act, all national, regional, and provincial government hospitals are hereby required to establish, operate and maintain a dialysis ward or unit in their hospital. The dialysis ward or unit shall be equipped with complete dialysis machine, equipment and supplies.

Section 5. Free Dialysis Treatment to Indigent Patients. – Dialysis treatment in all national, regional and provincial government hospitals shall be provided free of charge to indigent patients as defined in Section 3(e) hereof.

Section 6. Penalty. – Any hospital chief, administrator or officer-in-charge who fails to comply with this Act shall be punished with a fine of Fifty Thousand Pesos (P50,000.00) but not more than One Hundred Thousand pesos (P100,000.00).

Section 7. Implementing Rules and Regulations. – The Secretary shall promulgate the necessary rules and regulations to implement the provisions of this Act.

Section 8. Appropriations. – Such amount as may be necessary to implement the provisions of this Act is hereby authorized to be appropriated from the National Treasury. Thereafter, the amount necessary for the continuous implementation of this Act shall be included in the government hospital's annual appropriations.

Section 9. 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.

Section 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.

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

Approved,