

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session
3711
HOUSE BILL NO. _____



Introduced by Rep. Erico Aristotle C. Aumentado

EXPLANATORY NOTE

This bill seeks to prohibit hospitals and medical clinics from withholding the death certificates of deceased patients due to non-payment of hospital bills, professional fees and other medical expenses and provides penalties for violation thereof.

A death certificate is an important legal document. It does not only provide information on the cause of death but also serves as a record and evidence on the occurrence of death.

Under Section 6 of Act No. 3753 or the Law on Registry of Civil Status, "*No human body shall be buried unless the proper death certificate has been presented and recorded in the office of the local civil registrar.*" Thus, a death certificate is required for the burial or cremation of a deceased person.

Further, Republic Act No. 9439, entitled "*An Act Prohibiting the Detention of Patients in Hospital and Medical Clinics on Grounds of Non-Payment of Hospital Bills or Medical Expenses.*" Provides that the death certificate of the deceased patient and other documents required for internment and other purposes shall be released to any of the surviving relatives requesting for the same. The law does not apply, however, to patients who stayed in the private rooms. This could be the reason why some hospitals, especially private hospitals, withhold the issuance of the death certificate of the deceased patient unless the hospital bills, professional fees and other medical expenses incurred by the patient have been fully paid. There are many reported cases wherein the family of the deceased patient fails to accord the decedent proper wake and burial because the hospital has not issued the necessary death certificate for the unpaid hospital bills. This situation causes additional pain and suffering to the grieving family of the deceased

especially to those who cannot pay the bill. Furthermore, without the death certificate, the family is precluded from the filing the legal actions to claim the insurance and death benefits of the deceased and the processes to transfer property or settle the state of the deceased.

This bill aims to ensure the release of the death certificate even from private hospitals and medical clinics, to give due dignity to the dead and allow the bereaved family and relatives to proceed and claim their rights under the law as survivors of the deceased.

In view of the foregoing, approval of this bill is earnestly sought.



ERICO ARISTOTLE C. AUMENTADO

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AN ACT

PROHIBITING HOSPITALS AND MEDICAL CLINICS FROM WITHHOLDING THE DEATH CERTIFICATES OF THE DECEASED PATIENTS DUE TO NON-PAYMENT OF HOSPITAL BILLS, PROFESSIONAL FEES AND OTHER MEDICAL EXPENSES AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

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

SECTION 1. It shall be unlawful for any hospital or medical clinic to withhold the death certificate and other pertinent documents of a deceased patient due to non-payment of hospital bills, professional fees and other medical expenses.

Notwithstanding the unpaid obligation of the patient, the hospital or medical clinic shall issue the death certificate to the surviving relatives of the deceased within three (3) working days after receipt of the request.

Any hospital or medical clinic who fails or refuses to issue the death certificate of the deceased patient shall be punished with a fine of not less than One hundred thousand

pesos (P100, 000.00) but not more than Five hundred thousand pesos (P500,000.00) and the officer or employee responsible for the order not to release and issue the death certificate shall suffer the penalty of imprisonment of not less than one (1) month but not more than six (6) months.

SEC. 2. Within sixty (60) days from the approval of this Act, the Secretary of Health shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 3. All laws, decrees, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 4. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,