

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5786



Introduced by **Rep. CAMILLE A. VILLAR**

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 rising number of kidney failure cases in the country is alarming. According to the National Kidney and Transplant Institute, one Filipino develops chronic renal failure every hour. More than 5,000 patients are presently undergoing dialysis and approximately 1.1 million people worldwide are on renal replacement therapy.

2016 data from the PhilHealth similarly indicate that 10% of the world's population are suffering from Chronic Kidney Disease. In the Philippines, majority of end-stage renal disease is secondary to complications of diabetes, hypertension and chronic glomerulonephritis. While most patients with end-stage renal failure need kidney transplant, renal replacement therapy with adequate dialysis helps replace sufficient kidney function for a patient to survive.

Patients suffering from kidney ailment who are living in provinces could not afford the expenses of traveling all the way to urban cities to seek dialysis treatment and the high cost of the procedure itself, which 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, thus causing their health to deteriorate rapidly. Worse, some patients die without being given a chance to undergo dialysis because they could not afford it.

Pursuant to this measure, all national, regional, and provincial government hospitals are required to establish, operate and maintain a dialysis ward or unit that

will give free dialysis medical procedure to indigent patients. The aim of this bill is in consonance with the Constitutional mandate to make health services available to our countrymen at an affordable cost and improve the delivery of healthcare services to the Filipino people.

It is for the foregoing reasons that the swift passage of the bill is earnestly sought.

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

1 Section 1. *Short Title.* – This Act shall be known as the "*Dialysis Center Act.*"

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

5 Sec. 3. *Definition of Terms.* – For purposes of this Act, the following terms shall
6 mean:

7 a) *Secretary* refers to the Secretary of the Department of Health;

8 b) *National Government Hospital* refers to a hospital operated and maintained
9 either partially or wholly by the national government or by any department,
10 division, board or other agency thereof;

11 c) *Regional Government Hospital* refers to a hospital operated and maintained
12 either partially or wholly by the national government or by any department,
13 division, board or other agency thereof;

14 d) *Provincial Government Hospital* refers to a hospital operated and maintained
15 either partially or wholly by the provincial government or other political
16 subdivision, or by any department division, board or other agency thereof; and

1 e) *Indigent Patient* refers to a patient who has no visible means of income,
2 compensation or financial assistance from his/her relatives to support his/her
3 basic needs, as determined by the Department of Social Welfare and
4 Development (DSWD).

5 Sec. 4. *Establishment, Operation and Maintenance of a Dialysis Ward or Unit.*

6 – Within two (2) years from the effectivity of this Act, all national, regional, and
7 provincial government hospitals are hereby required to establish, operate and
8 maintain a dialysis ward or unit in their hospital. The dialysis ward or unit shall be
9 equipped with complete dialysis machine, equipment and supplies.

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

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

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

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

22 Sec. 9. *Separability Clause.* – If any provision or part hereof is held invalid or
23 unconstitutional, the remainder of the law or the provision not otherwise affected shall
24 remain valid and subsisting.

25 Sec. 10. *Repealing Clause.* – Any law, presidential decree or issuance, executive
26 order, letter of instruction, administrative order, rule or regulation contrary to or
27 inconsistent with the provisions of this Act are hereby repealed, modified or amended
28 accordingly.

29 Sec. 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its
30 publication in the *Official Gazette* or in any two (2) newspapers of general circulation
31 in the Philippines.

Approved,