

EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 5215

EXPLANATORY NOTE

According to the National Kidney and Transplant Institute, kidney diseases, especially End Stage Renal Disease (ESRD), are already the 7th leading cause of death among the Filipinos. One Filipino develops chronic renal failure every hour or about 120 Filipinos per million population per year. More than 20,000 Filipino patients are presently undergoing dialysis and approximately some 2.6 million patients worldwide undergo dialysis or transplantation, but 2.3 million succumb to premature deaths due to lack of access to dialysis and transplantation.

The 2017 Philippine Renal Disease Registry annual report shows that 21,535 Filipino patients underwent dialysis due to kidney failure in 2016. That's a massive jump from a mere 9,716 cases recorded in 2010—increasing at the rate of 8-18 percent per year.

The cost of medical treatment for kidney disease is really exorbitant, beyond the reach of ordinary patients. Further, most of the equipment and machines needed for dialysis are only available in major hospitals in the big cities all over the country. Access to them is very difficult especially for those living in far-flung and rural areas.

In view of the foregoing, immediate approval of this measure is earnestly requested.


RUFUS B. RODRIGUEZ

HOUSE OF REPRESENTATIVES

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House Bill No. **5215**

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

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 “Dialysis Center Act.”

SEC. 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.

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

- a) *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.
- b) *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.
- c) *Provincial Government Hospital* – shall refer to a hospital operated and maintained either partially or wholly by the provincial government or by any department, division, board or other agency thereof.
- d) *Indigent patient.* – shall refer to a patient who have no visible means of income or whose income is insufficient for family subsistence, as identified by the Department of Social Welfare and Development.

SEC. 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 hospitals. The dialysis ward or unit shall be equipped with complete dialysis machine, equipment and supplies.

SEC. 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 ESRD patients. This free dialysis treatment is one top of the 90 free dialysis sessions covered by Philhealth.

SEC. 6. Penalty. – Any hospital chief, administrator or officer-in-charge who fails to comply with this Act shall be punished with a fine of Two Hundred Fifty Thousand Pesos (P250,000.00) but not more than Five Hundred Thousand Pesos (P500,000.00).

SEC. 7. Implementing Rules and Regulations. – The Secretary of the Department of Health shall promulgate the rules and regulations necessary for the effective implantation of this Act.

SEC. 8. Appropriation. – 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.

SEC. 9. Separability. – 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. – All laws, decrees, orders, rules and regulations, or part thereof inconsistent with the provisions of this Act are hereby deemed repealed or modified accordingly.

SEC. 11. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,