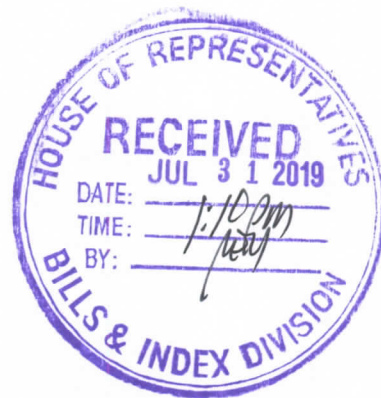




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Eighteenth Congress
First Regular Session

HOUSE BILL NO. 3210

Introduced by HONORABLE YASSER ALONTO BALINDONG

EXPLANATORY NOTE

This bill seeks to amend RA 9439 to protect observance of religious rites for their deceased in accordance of religious beliefs and practices.

For Muslims, Islam burial rites set a maximum period, with specific prohibitions that affect the time allotted for burial, so much so that in the following twenty-four hours after death, the burial rites should have been finished. This tradition comes from the Muslim belief that the soul of the deceased is disturbed if its physical body is not laid to rest before the next call to prayer. Besides, the urgency may also be due to their tradition that forbids embalming of the deceased's body.


Today, however, the business of dying may be said to be as expensive as the business of living. Given the new medical technologies and medicines that prolong life although the end result usually is death, family members usually try to hang on to their loved ones as long as possible, no matter what the cost. Thus, after a losing battle, there is the added burden of financial inability to pay for the medical expenses of the deceased, from which there may ensue a raging controversy for the release of the body, between the relatives of the dead and the establishment where the body is held.

This bill seeks to prevent such a happening, especially when logic is overcome by raw emotion, thru mandating the immediate release of the cadaver after the family has arranged for payment of the expenses thru promissory notes or other satisfactory alternatives, if they cannot tender the payment immediately.

It is to be noted that there was such a time when lack of payment was a reason for hospitals to refuse the release of patients who had already recovered, until R. A. 9439, made it illegal to hold them because of the inability to pay.

This bill seeks the same relief, for the observance of the final rites for their dead is a time honored or otherwise religious tradition that has to be observed in all its requisites.

The immediate passage of this bill is earnestly sought.


YASSER ALONTO BALINDONG
Representative
2nd district, Lanao del Sur



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Eighteenth Congress
First Regular Session

3210

HOUSE BILL NO. _____

Introduced by HONORABLE YASSER ALONTO BALINDONG

**AN ACT
REQUIRING HOSPITALS, MEDICAL CLINICS, AND OTHER
FACILITIES TO RELEASE A CADAVER IN THEIR POSSESSION
WITHIN TWENTY-FOUR (24) HOURS FROM TIME OF DEATH TO THE
FAMILY OR RELATIVES IN RECOGNITION OF RELIGIOUS
PRACTICES AND TRADITIONS, AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 9439 ENTITLED "AN ACT PROHIBITING THE
DETENTION OF PATIENTS IN HOSPITAL AND MEDICAL CLINIC ON
GROUNDS OF NONPAYMENT OF HOSPITAL BILLS OR MEDICAL
EXPENSES**

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

SECTION 1. Section 2 of Republic Act No. 9439 is hereby amended to read
as follows:

“SEC. 2. Patients who have fully or partially recovered and who already wish
to leave the hospital or medical clinic but are financially incapable to settle, in part
or in full, their hospitalization expenses, including professional fees and medicines,
shall be allowed to leave the hospital or medical clinic, with a right to demand the
issuance of the corresponding medical certificate and other pertinent papers required
for the release of the patient from the hospital or medical clinic upon the execution
of a promissory note covering the unpaid, obligation. The promissory note shall be
secured by either a mortgage or by a guarantee of a co-maker, who will be jointly
and severally liable with the patient for the unpaid obligation. THE CADAVER OF
A DECEASED PATIENT SHALL BE RELEASED WITHIN TWENTY-FOUR

(24) HOURS FROM THE TIME OF DEATH TO THE FAMILY OR RELATIVES IN RECOGNITION OF RELIGIOUS PRACTICES AND TRADITIONS AS MUSLIMS, CHRISTIANS OR INDIGENOUS PEOPLES AND the corresponding death certificate and other documents required for interment and other purposes shall be released to any of the surviving relatives requesting for the same: *Provided, however,* That patients who stayed in private rooms shall not be covered by this Act.”

SEC. 2. Section 2 of Republic Act No. 9439 is hereby amended, and all other laws, executive orders, and rules and regulations which are inconsistent with this Act are hereby amended, repealed or modified accordingly.

SEC. 3. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,