

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 2460

HOUSE OF REPRESENTATIVES

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REGISTRATION UNIT
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Introduced by REPRESENTATIVE ARTHUR C. YAP

EXPLANATORY NOTE

It is a fact that many Filipinos are still unable to fully get cured and recover from their illnesses because of their financial inability to purchase the medicines prescribed for them. This is even under current government programs, such as the Universal Health Care Program being implemented by PhilHealth that provide free or subsidized medical and health services in public hospitals to our sick and indigent people. The costs of medicines and drugs remain highly prohibitive and beyond reach.

Thus, there is a need to identify sources of funding from which medicines may be purchased for free distribution to indigent patients in times of their need. An appropriate source is the Internal Revenue Allotment (IRA) of the local government units.

This bill seeks to set aside a certain portion of the IRA to be allocated for the purchase of medicines for free distribution to indigent patients in their respective jurisdictions in cooperation and coordination with public hospitals, health centers and clinics in their localities and with the Department of Health.

Lest we overlook the fact that health and medical services, even when provided for free, but when unaccompanied by medicines prescribed, are less effective if not meaningless.

For the foregoing reasons, the immediate passage of the bill is earnestly sought.


ARTHUR C. YAP
Representative

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AN ACT
MANDATING LOCAL GOVERNMENT UNITS TO
EARMARK A PORTION OF THEIR INTERNAL
REVENUE ALLOTMENT (IRA) FOR FREE MEDICINES
TO INDIGENT PATIENTS IN THEIR JURISDICTIONS

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

1 **SECTION 1. *Declaration of Policy.*** - It shall be the policy of the
2 State to protect and promote the right to health of the people through the
3 adoption of an integrated and comprehensive approach to health
4 development and shall endeavor to make essential goods, health and other
5 social services available to all the people, particularly the underprivileged, at
6 affordable cost.

7 **SECTION 2. *Indigent Patients Defined.*** - Indigent patients are
8 those patients who have no means of visible income or whose income is
9 insufficient for the subsistence of his or her family as determined by the
10 local social welfare department.

1 **SECTION 3. *Local Government Units to Earmark a Portion of***
2 ***Internal Revenue Allotment for Free Medicines to Indigent Patients.*** – All
3 local government units (LGUs) are hereby mandated to set aside and
4 earmark a portion of their Internal Revenue Allotments (IRA) for the
5 purchase of medicines to be distributed for free to indigent patients in their
6 localities through the public hospitals, clinics, health centers and
7 dispensaries within their respective jurisdictions.

8 **SECTION 4. *Dispensation.*** - The LGU shall maintain a list of
9 indigent patients residing within their jurisdictions as determined by their
10 local social welfare officer and confirmed by the barangay officials
11 concerned, and shall issue identifying documents to ensure that the free
12 medicines are properly dispensed to deserving recipients. Public hospitals,
13 health centers, clinic and dispensaries shall cooperate and coordinate with
14 the local government units concerned in the implementation of this Act.

15 **SECTION 5. *Prohibited Acts.*** - Without prejudice to any criminal
16 liability that may be incurred under the Revised Penal Code by persons in
17 violation of the provisions of this Act, the following acts shall constitute
18 offenses under this Act:

- 19 1. Diverting or using for other purposes funds allocated for free
20 medicines as mandated in this Act;
- 21 2. Dispensing or distributing the medicines acquired under this
22 Act other than to indigent patients;
- 23 3. Preparing a list or certification that a patient is indigent when he
24 or she is not;

1 4. Preparing, submitting or altering any document to make it
2 appear that a legitimate purchase or distribution of free
3 medicines under this Act has been made when in fact there is
4 none;

5 5. Knowingly purchasing expired medicines or those expiring
6 within one (1) year from the date of purchase for purposes of
7 this Act.

8 **SECTION 6. *Penalties.*** - Any person found guilty of committing
9 any of the offenses enumerated in the preceding section shall be meted the
10 penalty of not less than two (2) years but not more than five (5) years of
11 imprisonment.

12 **SECTION 7. *Implementing Rules and Regulations.*** - The
13 respective councils of the concerned local government units through proper
14 resolutions or ordinances, and in consultation with the Department of
15 Health, shall promulgate the rules and regulations necessary for the effective
16 implementation of this Act.

17 **SECTION 8. *Separability Clause.*** - If any provision of this Act, or
18 any part thereof, is declared unconstitutional, the same shall not affect the
19 validity and effectivity of the other portions.

20 **SECTION 9. *Repealing Clause.*** - All laws, executive orders,
21 presidential decrees, proclamations, rules, regulations, issuances and
22 enactments of parts thereof inconsistent with this Act are hereby repealed or
23 modified accordingly.

1 **SECTION 10. *Effectivity.*** - This Act shall take effect fifteen (15)
2 days from its complete publication in the Official Gazette or in a newspaper
3 of general circulation in the Philippines, whichever comes earlier.

4 **Approved.**