

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



Senate
Office of the Secretary

'17 MAR -8 P6:21

SENATE

RECEIVED BY: 

SENATE BILL NO. 1378

INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

AN ACT
REGULATING THE USE OF GOVERNMENT AMBULANCES,
PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES

EXPLANATORY NOTE

An ambulance is a vehicle basically intended to transport seriously sick or injured patients requiring immediate medical treatment to a medical facility or from a medical facility to another and is sufficiently equipped for this purpose and designated as such. In emergency cases, this vehicle plays a vital role in saving lives.

Owing to its importance, the government has been trying very hard to provide enough number of ambulances despite its chronic budgetary constraints and other pressing problems requiring prompt action and response.

However, it is observed that government ambulances are often misused, to the detriment of the public. The sight of government ambulances in recreation areas and other places where they are not supposed to be is becoming usual and tolerated. Worse, there are instances where fees are collected for their use, or their use is refused for political considerations or other reasons that defeat the very purpose of their acquisition.

By devoting government ambulances to other purpose, sick constituents are deprived of their use as they are often unavailable when needs arise. Acre deplorable, the denial of their use by patients requiring immediate medico: attention for whatever reason is contrary to law and public policy, hence, must be penalized.

It is on these premises that the importance of this measure is underscored. This not only aims to prevent abuses in the use of government ambulances but also to ensure that these emergency vehicles are available to respond to emergencies at any time without discrimination.

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

A handwritten signature in black ink, appearing to read 'JOE EJERCITO', with a horizontal line extending to the left.

JOSEPH VICTOR G. EJERCITO



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

1 **SECTION 1. Declaration of Policy.**- It is hereby declared the policy of the State
2 that the right of the people to health shall be protected and promoted. In this
3 regard, the State shall extend such assistance in the most expeditious manner
4 where there is immediate danger on the life of the people.

5
6 **SEC 2. Definition of Terms.** - As used in this Act, the following terms shall
7 mean:

8
9 (a) "Government ambulance" refers to a vehicle equipped with
10 emergency life-saving devices and equipment and properly
11 designated as such, used to carry or transport seriously sick or
12 injured persons or patients in emergency situations requiring
13 immediate medical treatment to a medical facility or from one
14 medical facility to another; or for diagnostic or therapeutic
15 treatment where, by the nature of the patient's sickness or injury,
16 conveyance by ambulance is necessary. These vehicles are
17 acquired using government funds or donated for government
18 use, regardless of source.

19
20 (b) "Emergency " refers to a condition or state of patient wherein
21 based on the objective findings of a prudent medical officer on
22 duty for the day, there is immediate danger on the life of the
23 patient where delay in initial support and treatment may cause
24 loss of life or permanent disability to the patient.
25

1 **SEC 3. *Joint Custody of Government Ambulances Assigned or Donated to Local***
2 ***Government Units.*** - Any government ambulance assigned or donated to Local
3 government units shall be under the joint custody of the local chief executive
4 and the health officer concerned. Each shall be jointly liable for any violation
5 of the provisions of this Act committed by the of the provisions of this Act
6 committed by the other.

7
8 Upon the end of the local chief executive's term of office or in case he is
9 disqualified or removed from office for whatever cause, he shall turn over the
10 custody of the ambulance to the proper authority within fifteen (15) days from
11 his Fast day in office. In the same manner, in case the health officer of the local
12 government unit retires, is separated or disqualified from office, he shall turn
13 over the said custody to the proper authority within fifteen (15) days from his
14 last day in office.

15
16 **SEC 4. *Duties of Local Chief Executives.*** -

17
18 a) It shall be the duty of any local chief executive having temporary
19 custody of any government ambulance, donated or otherwise, to deliver
20 or cause the delivery of the same to the intended beneficiary without
21 unnecessary delay.

22
23 (b) It shall also be the duty of local chief executives assigned with any
24 government ambulance to appoint at least one regular driver for each
25 ambulance and ensure that a sufficient amount for gasoline and the
26 maintenance of their ambulance is appropriated every year

27
28 **SEC 5. *Prohibited Acts.*** - The following acts are hereby prohibited:

29
30 (a) It shall be unlawful for any public official or employee to use any
31 government ambulance as office service vehicle, for recreation or for
32 personal use or for any other purpose whatsoever inconsistent with the
33 purposes of a government ambulance as defined in Section 1 of this Act;

34
35 (b) It shall be unlawful for any public official or employee to use any
36 government ambulance in the transportation of patients not in
37 emergency situation unless another ambulance is available to respond
38 to any emergency; or when no other means of transportation is
39 available which non-availability is jointly certified under oath by the
40 patient or any of his / her relatives or guardians and the responsible
41 officer in charge of the ambulance other than the driver; or when the
42 nature of the patient's sickness or injury, though not life threatening,
43 makes necessary his / her transportation by ambulance;

1 (c) It shall be unlawful for any public officer or employee to allow the
2 use of any government ambulance by individuals or entities for private
3 use, for a fee or not;
4

5 (d) It shall be unlawful for any public officer or employee to refuse the
6 use of any government ambulance by any patient entitled to the use of
7 the same as provided in this Act due to the patient's inability to pay any
8 fee collected for its use; or discriminate in its use on account of religious
9 beliefs, gender, economic status, political affiliations or whatever cause
10 contrary to law, public policy or good customs;
11

12 (e) It shall be unlawful for any public officer or employee to paint over
13 or allow the painting over of any government ambulance to circumvent
14 the provisions of this Act.
15

16 **SEC 6. *Exceptions to the Prohibited Acts.*** - The provisions of Section 5
17 notwithstanding, the following use of any government ambulance in non-
18 emergency cases may be allowed:
19

- 20 (a) Medical outreach missions; and,
21 (b) Other related hospital operations.
22

23 **SEC 7. *Penalty Clause.*** - Violations of second paragraph of Section .3 hereof
24 shall be punished by perpetual disqualification from public service with
25 forfeiture of retirement benefits.
26

27 Violations of Section 4 and any of the prohibited acts enumerated in Section 5
28 hereof shall be penalized by suspension from office for thirty (30) days for the
29 first offense; suspension for six (6) months for the second offense; and
30 termination from service with forfeiture of retirement benefits and perpetual
31 disqualification from public service for the third offense,
32

33 If the violation of any of the prohibited acts be committed with the knowledge
34 or participation of the local chief executive and / or the responsible health
35 officer in case of local government units or the head of hospital in case of
36 government hospitals, the said officials shall also be penalized with the same
37 penalty provided in this Act.
38

39 **SEC 8. *Implementing Rules and Regulations.*** - The Secretary of the Department
40 of the Interior and Local Government, in consultation with the Secretaries of
41 the Department of Health and the Department of Transportation and
42 Communications and concerned sectors shall issue such guidelines, orders or
43 rules and regulations as may be necessary to carry out the provisions of this
44 Act.

1
2 **SEC 9. *Separability Clause*.** - If any provision of this Act or the application of
3 such provision to any person or circumstance is declared unconstitutional, the
4 remainder of this Act or the application of such provision to other persons or
5 circumstances shall not be affected by such declaration.
6

7 **SEC 10. *Repealing Clause*.** - All laws, orders, decrees, proclamations, rules and
8 regulations or parts thereof inconsistent with the provisions of this Act are
9 hereby repealed or modified accordingly.
10

11 **SEC 11. *Effectivity Clause*.** - This Act shall take effect after fifteen (15) days
12 following the completion of its publication in the Official Gazette, or in a
13 newspaper of general circulation in the Philippines.
14

15
16 *Approved,*