



Republic of the Philippines
Province of Laguna
Municipality of Los Baños
Special Science and Nature City
OFFICE OF THE SANGGUNIANG BAYAN

BAGONG
LOS BAÑOS
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EXCERPTS FROM THE MINUTES OF THE FIFTH (5TH) REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD ON FEBRUARY 3, 2025, AT THE SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.

Present:	Vice Mayor Josephine H. Sumangil-Evangelista S.B. Member Leren Mae M. Bautista S.B. Member Marlo PJ A. Alipon S.B. Member Jonathan Bryan S. Siytiap S.B. Member Miko C. Pelegrina S.B. Member Benedicto S. Alborida S.B. Member Jerwin A. Molinawe S.B. Member Muriel Laisa B. Dizon S.B. Member Gaudencio P. Macatangay, Liga President S.B. Member Samantha Nicole A. Banasihan-Ortega, SK Federation President Ms. Dona T. Alborida-Dizon, Secretary to the Sangguniang Bayan Ms. Felomina I. Lincallo, Computer Operator IV
Absent :	S.B. Member Mike Dexter A. Concio (O.B)
Visitors :	None

ORDINANCE NO. 2025-2414

AN ORDINANCE ADOPTING AND FUTHER STRENGTHENING REPUBLIC ACT 10932 ENTITLED, "AN ACT STRENGTHENING THE ANTI-HOSPITAL DEPOSIT LAW BY INCREASING THE PENALTIES FOR THE REFUSAL OF HOSPITALS AND MEDICAL CLINICS TO ADMINISTER APPROPRIATE INITIAL MEDICAL TREATMENT AND SUPPORT IN EMERGENCY OR SERIOUS CASES, AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 702, OTHERWISE KNOWN AS 'AN ACT PROHIBITING THE DEMAND OF DEPOSITS OR ADVANCE PAYMENTS FOR THE CONFINEMENT OR TREATMENT OF PATIENTS IN HOSPITALS AND MEDICAL CLINICS IN CERTAIN CASES', AS AMENDED BY REPUBLIC ACT NO. 8344, AND FOR OTHER PURPOSES" AND ITS IMPLEMENTING RULES AND REGULATIONS FOR LOCAL IMPLEMENTATION IN THE MUNICIPALITY OF LOS BAÑOS, PROVINCE OF LAGUNA, WHICH SHALL BE KNOWN AS THE "ANTI-HOSPITAL DEPOSIT ORDINANCE."

Author: **Councilor Jonathan Bryan S. Siytiap**

WHEREAS, under the 1987 Constitution of the Philippines, the State shall protect and promote the right to health of the people and instill health consciousness among them;

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WHEREAS, reports from constituents in Los Baños, Laguna indicate that some hospitals continue to refuse admission or treatment to patients who are unable to provide deposits or advance payments;

WHEREAS, the Municipal Government of Los Baños recognizes the importance of the health of its constituents and strives to make healthcare services comprehensive, accessible, and effective for all residents, ensuring their well-being and quality of life;

NOW THEREFORE, on motion of Councilor Jonathan Bryan S. Siytiap, duly seconded by Councilor Benedicto S. Alborida, and concurred by majority of the members present;

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF LOS BAÑOS, LAGUNA, in session assembled, **THAT:**

SECTION 1. **TITLE.** This Ordinance shall be known as the “**Anti-Hospital Deposit Ordinance**”

SECTION 2. **DECLARATION OF POLICY.** It shall be the policy of the Municipality to protect and promote the right to health of its constituents. Towards this end, no individual, in emergency or serious cases, shall be denied medical treatment on the grounds of failure to provide a deposit or advance payment to hospitals and medical clinics.

SECTION 3. **ADOPTION.** The provisions of Republic Act No. 10932, Republic Act No. 8344, and Batasang Pambansa 702 are hereby adopted and incorporated into this ordinance and shall be read as follows:

SECTION 3.1 **DEFINITION OF TERMS.**

- a. **‘Emergency’** – a condition or state of a patient wherein based on the objective findings of a prudent medical officer on duty for the day there is immediate danger and where delay in initial support and treatment may cause loss of life or cause permanent disability to the patient, or in the case of a pregnant woman, permanent injury or loss of her unborn child, or would result in a noninstitutional delivery.
- b. **‘Serious case’** – refers to a condition of a patient characterized by gravity or danger wherein based on the objective findings of a prudent medical officer on duty for the day when left unattended to, may cause loss of life or cause permanent disability to the patient, or in the case of a pregnant woman, permanent injury or loss of her unborn child.
- c. **‘Confinement’** - a state of being admitted in a hospital or medical clinic for medical observation, diagnosis, testing, and treatment consistent with the capability and available facilities of the hospital or clinic.
- d. **‘Hospital’** - a facility devoted primarily to the diagnosis, treatment and care of individuals suffering from illness,



disease, injury or deformity, or in need of obstetrical or other medical and nursing care. It shall also be construed as any institution, building or place where there are facilities and personnel for the continued and prolonged care of patients.

- e. '**Emergency treatment and support**' - any medical or surgical measure within the capability of the hospital or medical clinic that is administered by qualified health care professionals to prevent the death or permanent disability of a patient.
- f. '**Medical clinic**' - a place in which patients can avail of medical consultation or treatment on an outpatient basis.
- g. '**Permanent disability**' - a condition of physical disability as defined under Article 192-C and Article 193-B and C of Presidential Decree No 442; as amended, otherwise known as the Labor Code of the Philippines.
- h. '**Stabilize**' - the provision of necessary care until such time that the patient may be discharged or transferred to another hospital or clinic with a reasonable probability that no physical deterioration would result from or occur during such discharge or transfer.
- i. '**Basic emergency care**' – the response to a situation where there is urgently required medical care and attention, and shall include procedures required for initial diagnosis, use of equipment and supplies in sufficiently addressing the emergency situation, considering the welfare of the patient. It also includes the necessary medical procedures and treatment administered to a woman in active labor to ensure the safe delivery of the newborn.
- j. '**Noninstitutional delivery**' – the delivery of a newborn while in transit, outside of a health facility, after an initial consultation was done with a health facility.

SECTION 3.2.

PROHIBITION OF DEPOSIT AND ADVANCE PAYMENT FOR EMERGENCY MEDICAL CARE. In emergency or serious cases, it shall be unlawful for any proprietor, president, director, manager or any other officer and/or medical practitioner or employee of a hospital or medical clinic to request, solicit, demand or accept any deposit or any other form of advance payment as a prerequisite for administering basic emergency care to any patient, confinement or medical treatment of a patient in such hospital or medical clinic or to refuse to administer medical treatment and support as dictated by good practice of medicine to prevent death, or permanent disability, or in the case of a pregnant woman, permanent injury or loss of her unborn child, or noninstitutional delivery: *Provided, That by reason of inadequacy of the medical*

capabilities of the hospital or medical clinic, the attending physician may transfer the patient to a facility where the appropriate care can be given, after the patient or his next of kin consents to said transfer and after the receiving hospital or medical clinic agrees to the transfer: *Provided*, however, That when the patient is unconscious, incapable of giving consent and/or unaccompanied, the physician can transfer the patient even without his consent: *Provided, further*, That such transfer shall be done only after necessary emergency treatment and support have been administered to stabilize the patient and after it has been established that such transfer entails less risks than the patient's continued confinement: *Provided, furthermore*, That no hospital or clinic, after being informed of the medical indications for such transfer, shall refuse to receive the patient nor demand from the patient or his next of kin any deposit or advance payment: *Provided, finally*, That strict compliance with the foregoing procedure on transfer shall not be construed as a refusal made punishable by Republic Act 10932.

SECTION 3.3.

PATIENT TRANSFER AND EMERGENCY TRANSPORT

PROTOCOLS. After the hospital or medical clinic mentioned above shall have administered medical treatment and support, it may cause the transfer of the patient to an appropriate hospital consistent with the needs of the patient, especially in the case of poor or indigent patients.

Where there is no ambulance available for use by the hospital or medical clinic for the emergency transfer of the patient to a facility where the appropriate care shall be given, the local government unit (LGU) where the hospital or medical clinic is located must allow the free use of its emergency vehicle to transport the patient to the hospital or medical clinic where a continuation of care shall be given. The hospital or medical clinic must provide a staff nurse with advanced cardiovascular life support (ACLS) certification or its equivalent to accompany the patient in the emergency vehicle.

All hospitals are required to post at their entrance a notice indicating the classification level of the hospital as licensed by the Department of Health (DOH) and the list of medical services that the hospital is authorized to perform.

SECTION 3.4.

PENALTIES. Any official, medical practitioner or employee of the hospital or medical clinic who violates the provisions of this Act shall, upon conviction by final judgment, be punished by imprisonment of not less than six (6) months and one (1) day but not more than two (2) years and four (4) months, or a fine of not less than One Hundred Thousand Pesos (₱100,000.00), but not more than Three Hundred Thousand Pesos (₱300,000.00) or both, at the discretion of the court: *Provided*, however, That if such violation was committed pursuant to an established policy of the hospital or clinic or upon instruction of its management, the director or officer of such hospital or clinic responsible for the formulation and

implementation of such policy shall, upon conviction by final judgment, suffer imprisonment of four (4) to six (6) years, or a fine of not less than Five Hundred Thousand Pesos (₱500,000.00), but not more than One Million Pesos (₱1,000,000.00) or both, at the discretion of the court, without prejudice to damages that may be awarded to the patient-complainant: *Provided, further,* That upon three (3) repeated violations committed pursuant to an established policy of the hospital or clinic or upon the instruction of its management, the health facility's license to operate shall be revoked by the DOH. The president, chairman, board of directors, or trustees, and other officers of the health facility shall be solidarily liable for damages that may be awarded by the court to the patient-complainant.

SECTION 3.5.

PRESUMPTION OF LIABILITY. In the event of death, permanent disability, serious impairment of the health condition of the patient-complainant, or in the case of a pregnant woman, permanent injury or loss of her unborn child, proceeding from the denial of his or her admission to a health facility pursuant to a policy or practice of demanding deposits or advance payments for confinement or treatment, a presumption of liability shall arise against the hospital, medical clinic, and the official, medical practitioner, or employee involved.

SECTION 3.6.

HEALTH FACILITIES OVERSIGHT BOARD. All complaints for violations of Republic Act No. 10932, Republic Act No. 8344, and Batasang Pambansa 702 against health facilities shall be filed initially with the Health Facilities Oversight Board under the Health Facilities and Services Regulatory Bureau (HFSRB) of the DOH.

The Board shall investigate the claim of the patient and after adjudication, impose administrative sanctions in accordance with this Act including the revocation of the health facility's license. On the basis of its own findings, the Board shall also facilitate the filing of the criminal case in the proper courts. This is without prejudice to the right of the patient-complainant to directly institute criminal proceedings in the courts.

SECTION 4.

CREATION OF PATIENT PROTECTION AND ASSISTANCE TASK FORCE. A Patient Protection and Assistance Task Force shall be created by the Local Chief Executive within the Municipality of Los Baños, Laguna.

SECTION 5.

COMPOSITION OF PATIENT PROTECTION AND ASSISTANCE TASK FORCE. The Patient Protection and Assistance Task Force shall be composed of the Municipal Health Office, the Municipal Social Welfare and Development Office, among other members to be determined at the discretion of the Local Chief Executive.

SECTION 6.

FUNCTIONS OF THE PATIENT PROTECTION AND ASSISTANCE TASK FORCE. This task force shall be tasked with guiding patients who wish to file complaints against health facilities for violations of Republic Act No. 10932, Republic Act No. 8344, and Batasang Pambansa 702.



Patients may file complaints directly with the Health Facilities Oversight Board or may seek guidance from the Patient Protection and Assistance Task Force. The task force will only guide patients through the complaint process.

In cases where patients raise complaints and seek guidance from the task force, the task force shall visit the hospital in question to verify the concerns, assess the situation in detail, and gather relevant information from both the patients and hospital to understand the full scope of the issue. This thorough assessment shall allow the task force to identify any underlying problems and ensure that appropriate measures are taken to address the concerns effectively.

Lastly, the task force may assist and support patients in seeking financial assistance by guiding them through the process and connecting them with the appropriate resources and government agencies.

SECTION 7.

HELP DESK. A help desk shall be established at the Municipal Hall of the Municipal Government of Los Baños, operated and managed by the Patient Protection and Assistance Task Force. This help desk will serve as a point of contact for patients and/or their representatives who have complaints or inquiries regarding health facilities within the Municipality of Los Baños.

The help desk will promptly address concerns, offer immediate assistance, and guide individuals through the necessary procedures to resolve issues related to their complaints or inquiries.

Additionally, the help desk will provide general support, such as answering questions, offering relevant information, and directing individuals to the appropriate departments or resources to ensure efficient and effective resolution of their concerns.

SECTION 8.

POSTING. This Ordinance and a signage, a template of which shall be provided by the Municipal Government of Los Baños, shall be consistently and prominently posted by all hospitals and medical clinics within the jurisdiction of Los Baños, Laguna, in highly visible and conspicuous locations within their facilities, which shall form part of their respective business permit approval or renewal.

SECTION 9.

INSPECTION. Before the approval or renewal of the business permit, the Business Permit and Licensing Department (BPLD) of the Municipality of Los Baños is required to take photos of the hospital and medical clinic premises where the ordinance and signage are posted. The BPLD shall also conduct regular inspections at hospitals and medical clinics to ensure compliance with the required posting.

Moreover, the Patient Protection and Assistance Task Force shall conduct regular inspections of hospitals and medical clinics within the Municipality of Los Baños to ensure their full compliance with the provisions set forth in this Ordinance. These inspections will specifically ensure that healthcare facilities adhere to the regulations and standards outlined in the Ordinance, as well as comply with the relevant national laws and policies that have been adopted and integrated into the Ordinance to ensure proper patient care and safety. *aw*

SECTION 10.

FUNDING. The funding for the implementation of this Ordinance, including any associated activities and programs, shall be subject to the availability of funds and resources from the Municipal Government of Los Baños.

SECTION 11.

SEPARABILITY CLAUSE. If any part or provision of this Ordinance is declared unconstitutional or invalid, other parts or provisions hereof which are not affected shall continue to be in full force and effect.

SECTION 12.

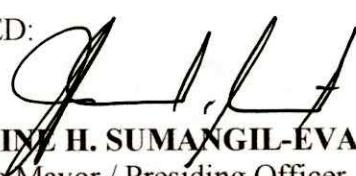
EFFECTIVITY. This Ordinance shall take effect on the day following its publication, or at the end of the period of posting, whichever occurs later.

ENACTED: February 3, 2025

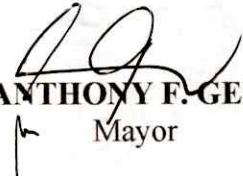
I HEREBY CERTIFY to the correctness of the above-quoted Ordinance.


DONA T. ALBORIDA-DIZON
Secretary to the Sangguniang Bayan

CERTIFIED ENACTED:


HON. JOSEPHINE H. SUMANGIL-EVANGELISTA
Vice Mayor / Presiding Officer

APPROVED:


HON. ANTHONY F. GENUINO
Mayor