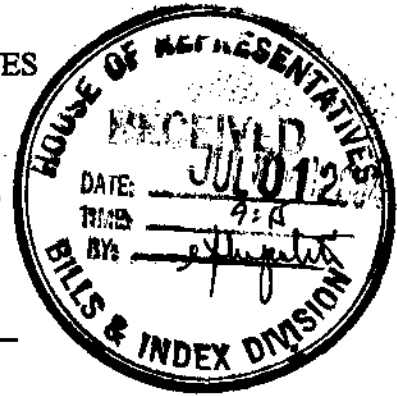


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 68



Introduced by : **REP. RAUL V. DEL MAR**

EXPLANATORY NOTE

The proposed bill seeks to prevent the undesirable practice of hospitals and medical clinics of preventing the release of fully recovered and/or dead patients for non-payment, either partially or fully, of hospital bills.

The aforesaid practice has resulted in unnecessarily prolonged, and hence more expensive, stay of the financially distressed patients. Unchecked and undisturbed, the practice is a simple case of detention against the will of the patients pending full payment of bills which, in a sense, constitutes a deprivation of liberty on grounds of financial incapacity. In any language, it is a legally and morally unacceptable posture.

The bill allows the underprivileged patient to leave the hospital upon the execution of a duly secured promissory note and imposes a penal sanction for violation of any of its provisions.

While the rights of hospital owners and/or medical practitioners must be respected, there must be a better and more humane way of treating patients who, having been adequately attended to, already wish to leave the hospital were it not for their unpaid bills. To the financially incapable patient, it is a matter of liberty and livelihood; to the hospital owners and the medical practitioners, it simply means a little financial sacrifice.

It may be stressed that this bill passed on third and final reading in the House of Representatives during the Eleventh Congress. In the Senate, the attached bill passed second reading but was not approved, for lack of time upon congressional adjournment.

In view of all the foregoing, approval of the Bill is earnestly requested.


RAUL V. DEL MAR

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 68

Introduced by : **REP. RAUL V. DEL MAR**

AN ACT
PROHIBITING THE DETENTION OF LIVE OR DEAD PATIENTS IN
HOSPITALS AND MEDICAL CLINICS ON GROUNDS OF NONPAYMENT OF
HOSPITAL BILLS OR MEDICAL EXPENSES

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

SECTION 1. It shall be unlawful for any hospital or medical clinic in the country to detain or to otherwise cause, directly or indirectly, the detention of patients who have fully or partially recovered or have been adequately attended to or who may have died, for reasons of nonpayment in part or in full, of hospital bills or medical expenses.

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. In the case of a deceased patient, the corresponding death certificate and other documents required for interment and other purposes shall be released to any of his surviving relatives requesting for the same: *Provided, however,* That patients who stayed in private rooms shall not be covered by this Act.

SEC. 3. Any officer or employee of the hospital or medical clinic responsible for releasing patients, who violates the provisions of this Act shall be punished by a fine of not less than Five thousand pesos (P5,000.00) but not more than Fifteen thousand pesos (P15,000.00) or imprisonment of not less than one (1) month but not more than six (6) months, or both such fine and imprisonment, at the discretion of the proper court

SEC. 4. The Department of Health shall promulgate the necessary rules and regulations to carry out the provisions of this Act.

SEC. 5. If any provision of this Act is declared void and unconstitutional, the remaining provisions thereof not affected thereby shall remain in full force and effect.

SEC. 6. All laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 7. This Act shall take effect fifteen (15) days after its publication in two (2) national newspaper of general circulation.

Approved,