

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth (15th) Congress
Second Regular Session



HOUSE BILL NO: 6060

Introduced by **Honorable Catalina Cabrera-Bagasina**
Association of Laborers and Employees "ALE" Party-list

EXPLANATORY NOTE

CAB It is a common practice for most hospitals in the Philippines to detain patients for unpaid hospital bills and this usually extends to morgues and funeral parlors which in most cases refuse to release the corpse to the immediate family adding burden to their grief for the departed loved ones. In most cases, the corpse is released upon the signing of a promissory note to settle the outstanding obligation by the patient's relatives but the death certificate is being held pending the settlement of outstanding obligations.

A majority of the country's population represent those who are working and receiving the minimum wage and below are now classified as indigents under the law. In the latest study made by National Statistics Coordination Board, thirty (30) out of one hundred (100) Filipino families had income short of the minimum cost of satisfying their basic requirements of basic food and non-food.

In 2009, a family of five should be earning a combined monthly income of Php 7,017 to be out of poverty line. In the National Capital Region, a sole breadwinner of a family of five in 2009 needed to earn at least Php 8,251 per month to keep out of poverty. Consequently, a minimum wage earner in Metro Manila can support a family of at most 6 members in 2009, to be classified as non-poor.¹

This proposed bill seeks to exempt those indigent patients confined, who will eventually expire, in government hospitals from paying any outstanding hospital and medical fees. It seeks to exempt the indigent patient or any family member from paying the outstanding hospital bills and the corpse should be immediately released and the death certificate be issued to the family.

This is a social security protection for the indigent members of the labor sector and it shall be known as the Hospital Indigent Act of 2012. It is the social policy of the state that those who have less in life should have more in law.

In view of this foregoing, the passage of this bill is earnestly sought.


HON. CATALINA CABRERA-BAGASINA

¹ Highlights of the 2009 Official Poverty Statistics of NSCB

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HOUSE RESOLUTION NO: 6060

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AN ACT

EXEMPTING THE INDIGENT PATIENTS CONFINED AND WHO EXPIRE IN GOVERNMENT HOSPITALS FROM PAYMENT OF ANY UNPAID OUTSTANDING OBLIGATIONS AND THE AUTOMATIC RELEASE OF THE CORPSE INCLUDING THE CORRESPONDING DEATH CERTIFICATE TO IMMEDIATE FAMILY MEMBERS.

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

SECTION 1. Short Title. This Act shall be known as "**Hospital Indigent Act of 2012**".

SECTION 2. Declaration of Policy. It is hereby declared the policy of the state that those who have less in life should have more in law.

SECTION 3. Definition of Terms. The following terms shall be defined as follows:

Corpse – refers to the remains or cadaver.

Death Certificate – a document stating the circumstances surrounding the death of an individual.

Heirs – immediate family members of the departed patient

Hospital – refers to any hospital funded by the National Government.

Indigent– those who are earning and receiving the minimum wage and below.

Patient – one who is admitted in a hospital and expires during confinement.

Pagcor - Philippine Amusement and Gaming Corporation.

Pcso – Philippine Charity Sweepstakes Office

SECTION 4. *Exemption.* The indigent patients confined, who will eventually expire, in any government hospital shall be exempted from paying any outstanding hospital and medical fees. This shall include the automatic release of the corpse and the corresponding death certificate to the immediate family members.

SECTION 5. *Penalty.* Anyone who will violate this act shall suffer a penalty of a fine not less than Php 500,000 and an imprisonment of 15 years. The fine to be imposed will be in the form of moral damages to be awarded to the heirs of the departed patient.

SECTION 6. *Source of Funds.* The funds to be used for the viability of this act shall be sourced from the following agencies, but not limited to:

- a. not more than five percent (5%) of the annual budget of Department of Health.
- b. any other appropriations from the General Appropriations Act.
- c. donations and grants from domestic and international sources.
- d. One Billion Pesos (Php 1,000,000,000.00) a year from PAGCOR.
- e. not more than ten percent (10%) of the annual generated income of PCSO.

SECTION 7. *Repealing Clause.* - All laws, acts, presidential decrees, executive orders, administrative orders, rules and regulations inconsistent with or contrary to the provisions of this Act are deemed amended, modified or repealed accordingly.

SECTION 8. *Separability Clause.* Any part of this Act that will be declared unconstitutional shall not affect the other provisions.

SECTION 9. *Effectivity Clause.* - This Act shall take fifteen (15) days upon completion of its publication in at least two (2) newspapers of general circulation.

Approved,