

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. _____

196



Introduced by REPRESENTATIVE ARTHUR C. YAP

EXPLANATORY NOTE

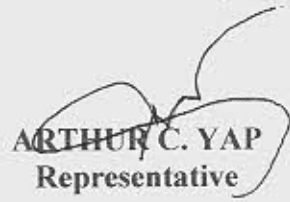
It is a fact that many Filipinos are still unable to fully get cured and recover from their illnesses because of their financial inability to purchase the medicines prescribed for them. This is even under current government programs, such as the Universal Health Care Program being implemented by PhilHealth 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

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
Third Regular Session

House Bill No. _____ **196**

Introduced by REPRESENTATIVE ARTHUR C. YAP

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 State to protect
2 and promote the right to health of the people through the adoption of an integrated and
3 comprehensive approach to health development and shall endeavor to make essential
4 goods, health and other social services available to all the people, particularly the
5 underprivileged, at affordable cost.

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

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

15 **SECTION 4. *Dispensation.*** - The LGU shall maintain a list of indigent
16 patients residing within their jurisdictions as determined by their local social welfare

1 officer and confirmed by the barangay officials concerned, and shall issue identifying
2 documents to ensure that the free medicines are properly dispensed to deserving
3 recipients. Public hospitals, health centers, clinic and dispensaries shall cooperate and
4 coordinate with the local government units concerned in the implementation of this Act.

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

- 8 1. Diverting or using for other purposes funds allocated for free medicines as
9 mandated in this Act;
- 10 2. Dispensing or distributing the medicines acquired under this Act other
11 than to indigent patients;
- 12 3. Preparing a list or certification that a patient is indigent when he or she is
13 not;
- 14 4. Preparing, submitting or altering any document to make it appear that a
15 legitimate purchase or distribution of free medicines under this Act has
16 been made when in fact there is none;
- 17 5. Knowingly purchasing expired medicines or those expiring within one (1)
18 year from the date of purchase for purposes of this Act.

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

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

26
27 **SECTION 8. *Separability Clause.*** - If any provision of this Act, or any part
28 thereof, is declared unconstitutional, the same shall not affect the validity and effectivity
29 of the other portions.

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

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

7 **Approved.**