

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2868



Introduced by *Rep. Winston "Winnie" Castelo*

EXPLANATORY NOTE

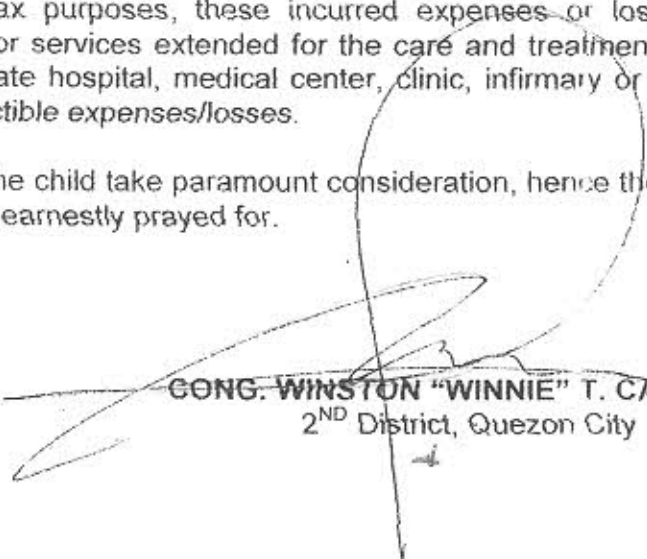
This serves as a counterpart measure to Sen. Jinggoy Estrada's Senate Bill No. 610 filed in this 15th Congress inasmuch as the views expressed therein are worth subscribing to.

Indeed, clear enough in our declared State policies are the focus and attention that should be given to indigent children as contained in Section 3 (2) of Article XV of the Constitution as well as echoed in Article 3 (4) of Presidential Decree No. 603 or the Child Welfare Code.

With this House bill, it opens new hope since it makes it mandatory for all government and private hospitals, medical centers, clinics, infirmaries, and puericulture centers to give free medical and dental assistance to indigent children in danger of dying or may have suffered physical injuries requiring immediate medical attention.

For income tax purposes, these incurred expenses or losses for the medicines, facilities or services extended for the care and treatment of indigent children by said private hospital, medical center, clinic, infirmary or puericulture center shall be deductible expenses/losses.

The rights of the child take paramount consideration, hence the immediate passage of this bill is earnestly prayed for.


CONG. WINSTON "WINNIE" T. CASTELO
2ND District, Quezon City

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AN ACT
REQUIRING ALL GOVERNMENT AND PRIVATE HOSPITALS, MEDICAL
CENTERS, CLINICS, INFIRMARIES, AND PUERICULTURE CENTERS TO
GIVE FREE MEDICAL AND DENTAL ASSISTANCE TO INDIGENT CHILDREN

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

SECTION 1. All government and private hospitals, medical centers, clinics, infirmaries or puericulture centers duly licensed to operate as such, are hereby required to render medical and dental services to indigent children, regardless of whether or not they are in danger of dying and/or may have suffered physical injuries requiring immediate medical attention.

For purposes of this Act, an "indigent child" is an unemancipated child below eighteen (18) years of age who has health problems requiring medical and dental services for his care and treatment, taking into account the following factors:

- (a) the age of the child;
- (b) the financial condition of the family;
- (c) the degree of deprivation of parental care and support; and
- (d) the inability of his parents to exercise parental authority.

SEC. 2. The expenses and losses of earnings incurred by a private hospital, medical center, clinic, infirmary or puericulture center, or by an individual physician or dentist for medicine, facilities and services extended to the care and treatment of an indigent child as required herein in an amount not exceeding P300,000.00 per year, shall be deductible expenses and losses for income tax purposes which may be carried over a period of five (5) years.

SEC. 3. Any hospital director, administrator, officer-in-charge, physician or dentist in a hospital, medical center, clinic, infirmary, or puericulture center who shall refuse or fail without good cause to render the appropriate medical or dental service pursuant to Section 1 of this Act, after this case has been brought to his/her attention, or any nurse, midwife, medical or dental attendant who shall refuse to extend the appropriate assistance, subject to existing rules, or neglects to notify or call the attention of a physician or dentist in attendance, shall be punished with imprisonment of at least one (1) year or a fine of not more than Fifteen Thousand Pesos (P15,000.00), or both fine and imprisonment at the sound discretion of the Court.

In the case of government hospitals, medical centers, clinics, infirmaries, or puericulture centers, the license to operate shall be suspended or revoked.

SEC. 4. The Department of Health (DOH) in coordination with the Department of Social Welfare and Development shall have the authority to promulgate the necessary rules and regulations for the purpose of carrying into effect the provisions of this Act.

SEC. 5. All laws, decrees, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 6. This Act shall take effect within fifteen (15) days after its publication in the Official Gazette or two (2) newspapers of general circulation.

Approved,