

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7026



Introduced by Rep. Winston "Winnie" Castelo

EXPLANATORY NOTE

It appears it takes more than taking the Hippocratic Oath for physicians and dentists to exercise due diligence in performing their sworn duty to do no harm and do their patients good. Enthusiastic medical and dental practitioners are given carte blanche in using treatments that they believe will do good without first having evaluated them adequately to ensure they do no harm. When the patient's wellness and wellbeing are made to depend on doctors or dentists, every reasonable step should be taken in order to stave off any maleficence and administer only beneficence.

There are cases when, unfortunately, patients are given ill medical advice inadvertently, which is contraindicated of the patient's condition. In another, a dentist extracted the wrong tooth. Such malpractice should not go unchecked.

This proposed measure seeks to impose stiffer penalties on medical and dental malpractice for the enhanced protection of patients in general.

The immediate passage of this bill is most earnestly prayed for.

A large, stylized blue ink signature of Winnie Castelo, written over the printed name.

WINNIE CASTELO

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AN ACT
IMPOSING STIFFER PENALTIES ON MEDICAL AND DENTAL MALPRACTICE

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

SECTION 1. This Act shall be known as the "Anti Medical and Dental Malpractice Act."

SEC 2. A medical doctor or dentist who is found to be guilty of malpractice shall be penalized as follows:

- (a) If the malpractice results in permanent disability or irreversible injury, the penalty of a fine ranging from one hundred thousand pesos (P100,000.00) to five hundred thousand pesos (P500,000.00) and/or imprisonment for a period of 6 months to 1 year shall be imposed.
- (b) If the malpractice results in death, the penalty of a fine ranging from one million pesos (P1,000,000.00) to three million pesos (P3,000,000.00) and/or imprisonment for a period of 2 to 5 years plus revocation of license shall be imposed.

SEC. 3. The Department of Health (DOH) shall issue the necessary rules and regulations for the effective implementation of this Act.

SEC. 4. All laws, decrees, executive orders, rules and regulations inconsistent with the provisions of this Act are hereby repealed accordingly.

SEC 5. This Act shall take effect thirty (30) days upon publication in the Official Gazette and in at least two (2) newspapers of general circulation.

Approved,