

Republic of the Philippines
House of Representatives
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 7940



INTRODUCED BY REPRESENTATIVE ALFRED VARGAS

AN ACT
REGULATING THE USE OF GOVERNMENT AMBULANCES,
PROVIDING PENALTIES THEREFORE, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

More often than not, speedy emergency response to severe medical cases can spell the difference between life and death or paralysis and mobility. Emergency medical response in the country, however, has been beset with many problems. In particular, complaints have been raised from citizens who have not been able to utilize the ambulance in their local government due to a multitude of reasons such as the absence of a driver or the lack of budget for gasoline and/or for necessary repairs. Moreover, there have been cases wherein such important vehicles are used for the personal use of public officials and private citizens or, more alarmingly, for criminal acts.¹

Local government units (LGUs) should be held responsible for the ambulances in their possession. As an example, ambulances donated by the Philippine Charity Sweepstakes Office (PCSO) include a memorandum of agreement with the LGU wherein the gas allocation and the costs of the maintenance must be covered by the latter.² As such, patients in dire need of medical response should not be made to pay prior to the use of such vehicles.

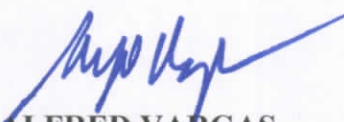
This bill thus seeks to ensure efficient emergency medical response in the country and prevent abuses of government property and funds by establishing the responsibility on LGUs for the ambulance/s in their possession. Government ambulances donated to or acquired by an LGU shall henceforth be under the joint custody of the local chief executive and the health officer concerned. It shall be the duty of the local chief executive to ensure the delivery of the vehicle to the intended beneficiary without delay, to assign a regular driver for each ambulance, and to include its gas

¹ Florante S. Solmerin, "Ambulance donation of PCSO, not for personal use," *BusinessMirror*, May 10, 2018, <https://businessmirror.com.ph/ambulance-donation-of-pcso-not-for-personal-use/>

² Reynaldo G. Navales, "PCSO exec clarifies issues on ambulance donation program," *Sunstar Pampanga*, May 5, 2018, <https://www.sunstar.com.ph/article/1741718/Pampanga/Local-News/PCSO-exec-clarifies-issues-on-ambulance-donation-program>

allocation and maintenance expenses in the LGU's budget. The failure to do these duties, the use of the ambulance for purposes other than emergency medical response, and any other acts contrary to this law would thus be met with corresponding penalties.

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



ALFRED VARGAS

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

Section 1. Short Title. – This Act shall be known as the “Ambulansya ng Bayan Act of 2018”.

Section 2. Declaration of Policies. – It is hereby declared the policy of the State that the right of the people to health shall be protected and promoted. In this regard, the State shall extend such assistance in the most expeditious manner where there is immediate danger on the life of the people.

Section 3. Definition of Terms. – For the purposes of this Act, the words and phrases shall be defined as follows:

- (a) “Government ambulance” refers to a vehicle equipped with emergency life-saving devices and equipment and properly designated as such, used to carry and transport seriously sick or injured persons or patients in emergency situations requiring immediate medical treatment to a medical facility or from one medical facility to another; or for diagnostic or therapeutic treatment where, by the nature of the patient’s sickness or injury, conveyance by ambulance is necessary. These vehicles are acquired using government funds or donated for public use, regardless of source.
- (b) “Emergency” refers to a condition or state of a patient wherein based on the objective findings of a prudent medical officer, there is immediate danger on the life of the patient where delay in initial support and treatment may cause loss of life, permanent disability, or other serious harm to the patient.

Section 4. *Joint Custody of Government Ambulances Assigned or Donated to Local Government Units.* – Any government ambulance assigned or donated to Local Government Units (LGUs) shall be under the joint custody of the local chief executive and the health officer concerned. Each shall be jointly liable for any violation of the provisions of this Act committed by the other.

Upon the end of the local chief executive's term of office or in case he is disqualified or removed from office for whatever cause, he shall turn over the custody of the ambulance to the proper authority within fifteen (15) days from his last day in office. In the same manner, in case the health officer of the local government unit retires, is separated, or disqualified from office, he shall turn over the said custody to the proper authority within fifteen (15) days from his last day of office.

Section 5. *Duties of Local Chief Executives.* – The local chief executive shall have the following duties:

- (a) The local chief executive who has temporary custody of any government ambulance shall deliver or cause the delivery of the same to the intended beneficiary without necessary delay.
- (b) The local chief executive shall assign at least one (1) regular driver for each ambulance and ensure that a sufficient amount for gasoline and other expenses for the maintenance of the vehicle is appropriated every year.

Section 6. *Prohibited Acts.* – The following acts are hereby prohibited:

- (a) It shall be unlawful for any public official or employee to use any government ambulance as an office service vehicle, for recreation purposes or personal use, or for any other purpose whatsoever inconsistent with the purposes of a government ambulance as defined under Section 1 of this Act;
- (b) It shall be unlawful for any public official or employee to allow the use of any government ambulance by individuals or entities for private use;
- (c) It shall be unlawful for any public office or employee to refuse the use of any government ambulance by any patient entitled to use the same as provided in this Act due to the patient's inability to pay any fee for its use or to discriminate in its use on account of religious beliefs, gender, economic status, political affiliations, or whatever cause contrary to law, public policy, or good customs.
- (d) It shall be unlawful for any public officer or employee to refurbish any government ambulance for purposes other than those provided under Section 1 of this Act.

Section 7. *Exceptions to the Prohibited Acts.* – The provisions of Section 5 notwithstanding, the following use of any government ambulance in non-emergency cases may be allowed:

- (a) Medical outreach missions; and
- (b) Other related hospital operations

Section 8. *Penalty Clause.* – Any violation of Sections 5 or any of the prohibited acts under Section 6 hereof shall be penalized by suspension from office for thirty (30) days for the first offense; suspension for six (6) months for the second offense; and suspension for one (1) year for the third offense.

If the violation of any of the prohibited acts be committed with the knowledge or participation of the local chief executive and/or the responsible health office in case of local government units or the head of a hospital in case of government hospitals, the said official shall also be penalized with the same penalty provided in this Section.

Section 9. *Implementing Rules and Regulations.* – The Department of Interior and Local Government, in consultation with the Department of Transportation and the Department of Health shall, within sixty (60) days of its effectivity, formulate the rules and regulations for its effective implementation

Section 10. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule, or regulation, contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

Section 11. *Separability Clause.* – If any provision or part of this Act is held unconstitutional or invalid, the remaining parts or provisions not affected shall remain in full force and effect.

Section 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,