

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8040



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

Article 15, Section 1 of the 1987 Constitution posits that:

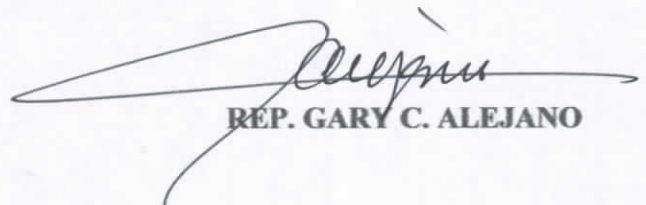
“The State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development.”

The child, as an integral part of every family, is considered to be one of the most important assets of the nation, therefore compelling the State to exert maximum effort to promote a child's welfare and provide opportunities for a purposeful and decent life.

When a child is taken from his family, he loses a vital component of his growth: a harmonious atmosphere conducive to the formation of the moral and social building blocks of a well-rounded individual. The family prepares children for the challenges of adulthood, instilling in them conscientiousness and respect for civic duties.

To enable the perpetual strengthening of the family as a critical social institution, this Act shall require hospitals to: 1) establish and implement security procedures to reduce the likelihood of infant abduction and/or baby switching; and 2) devise procedures for identifying all infant patients in the hospital in such manner that will ensure that it will be evident if ever an infant goes missing in a hospital.

In view of the foregoing, approval of this measure is earnestly sought.


REP. GARY C. ALEJANO

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AN ACT

TO REQUIRE HOSPITALS TO ESTABLISH AND IMPLEMENT SECURITY PROCEDURES TO REDUCE THE LIKELIHOOD OF INFANT PATIENT ABDUCTION AND BABY SWITCHING, INCLUDING PROCEDURES FOR IDENTIFYING ALL INFANT PATIENTS IN THE HOSPITAL IN A MANNER THAT ENSURES IT WILL BE EVIDENT IF INFANTS ARE MISSING FROM THE HOSPITAL

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 “Infant Protection Act of 2018.”

SEC. 2. *Declaration of Policy.*—It is hereby declared the policy of the State to protect the Filipino family, strengthen its solidarity, and actively promote its total development.

SEC. 3. *Definition of Terms.*—For purposes of this Act:

a. *Identification record* means a record maintained by a hospital to aid in the identification of newborn patients of the hospital, including any of the following:

- 1) The footprint, fingerprint or photograph of the newborn patient;
- 2) A written description of the infant; and
- 3) An identification bracelet or anklet put on the newborn patient, or the mother of the newborn patient by a staff member of the hospital

b. *Secretary* means the Secretary of Health.

1 **SEC. 4. *Establishment of Security Procedures.***—In the case of hospital and critical access
2 hospitals which provide neonatal or infant care, to have in effect security procedures that meet
3 standards established by the Secretary in consultation with appropriate organizations to reduce the
4 likelihood of infant patient abduction and baby switching, including standards for identifying all
5 infant patients in the hospital in a manner that ensures that it will be evident if infants are missing
6 from the hospital.

7
8 **SEC. 5. *Infant Identification Records.***—All hospitals, both public and private, shall hereby
9 keep an identification record of all newborn infants under their care and ensure that such records are
10 utilized towards the prevention of infant patient abduction and baby switching.

11
12 **SEC. 6. *Implementing Rules and Regulations.***—The Department of Health shall within
13 120 days after the effectivity of this Act, promulgate the necessary rules and regulations for its
14 effective implementation.

15
16 **SEC. 7. *Separability Clause.***—If any part or provision of this Act is held unconstitutional or
17 invalid, other parts or provisions hereof, which are not affected thereby shall continue to be in full
18 force and effect.

19
20 **SEC. 8. *Effectivity.***—This Act shall take effect after fifteen (15) days following its
21 publication in at least two (2) newspapers of general circulation.

Approved,