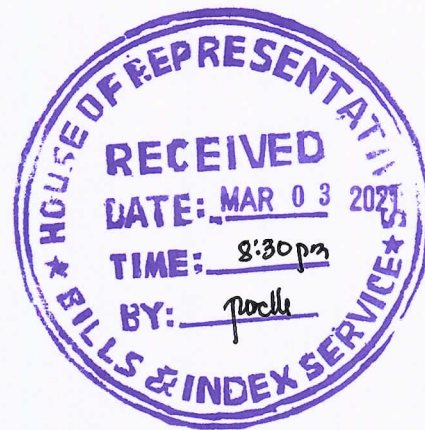


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 8883



Introduced by REPRESENTATIVE MANUEL ANTONIO F. ZUBIRI

EXPLANATORY NOTE

Section 15, Article II of the 1987 Constitution states that the State shall protect and promote the right to health of the people and instill health consciousness among them.

The Constitution also states that the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential health and other social services available to all the people to ensure that the needs of the underprivileged sick, elderly, disabled, women and children can access the health services they need.

Health is wealth. Our health today is constantly threatened by an infection given the raging global pandemic. COVID-19 not only has taken a lot from our normal lives but it has also brought new needs. With the always threat of our medical facilities being overwhelmed coupled with the rise of new and more effective in transmission variants, there is an urgent need to augment early detection of illnesses.

At present, there are only a handful of hospitals and diagnostic laboratories that can accommodate patients and people compared to the total population of the country. These medical facilities are still struggling to accommodate people despite the combined efforts of the private and government medical institutions combined.

However, in terms of logistics and in view of further helping to prevent the transmission of COVID-19, people and patients will have to be dispersed. As such, they must be given numerous options where to go to have themselves tested. Instead of going to the existing hospitals and diagnostics clinics for their usual medical laboratory and medical tests, our constituents should be given the option to have it done in their respective municipalities.

The idea of having diagnostic laboratories in every municipality will help the poor as the same is envisioned to be made completely accessible by the government. It will also help in reducing the number of people solely relying on the existing hospitals and other clinics—thus, avoiding concentrated flock at these sites—as these diagnostic laboratories in every municipality will serve as another option. This will avoid people concentrating in one area and thereby decrease the likelihood of COVID-19 transmission.

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

MANUEL ANTONIO F. ZUBIRI
Representative
Third District, Bukidnon

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EIGHTEENTH CONGRESS
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HOUSE BILL NO. 8883

Introduced by REPRESENTATIVE MANUEL ANTONIO F. ZUBIRI

AN ACT
MANDATING ALL MUNICIPALITIES IN THE COUNTRY TO ESTABLISH THEIR OWN
DIAGNOSTIC LABORATORIES AND CLINICS AND APPROPRIATING FUNDS
THEREFOR

SECTION 1. *Declaration of Policy.* – It is the declared policy of the State to protect and promote the right to health of the people. It is likewise the policy of the State to make essential health services available to all the people in view of Section 15, Article II and Section 11, Article XIII of the 1987 Constitution.

SECTION 2. *Establishment of Municipal Diagnostic and Laboratory Clinics.* – All municipalities in the country shall establish their own diagnostic and laboratory clinics within their respective jurisdiction.

SECTION 3. *Establishment of Diagnostic and Laboratory Clinics for Two (2) or more Municipalities.* – In cases where the population of the two (2) or more municipalities are few and in cases where the distance between municipalities is short, only one (1) diagnostic and laboratory clinic may be established to serve such municipalities.

The city or provincial government, as the case may be, shall coordinate with its municipalities within their jurisdiction to ascertain the logistics of where such diagnostic and laboratory clinics will be established.

SECTION 4. *Role of the Department of Health (DOH).* – The DOH shall issue an instruction detailing the specifications of such diagnostic and laboratory clinics to be established including the number and qualifications of the medical personnel to be hired. It shall also list all the equipment that will be needed to operate and cater to the usual needs of out-patients and the necessary blood and laboratory works usually ordered by doctors.

The DOH shall likewise give training to all medical personnel that will be hired in such diagnostic and laboratory clinics once established and promote the proper maintenance of all medical equipment allocated therein.

In cases where the municipality concerned lacks medical personnel, or is in need of medical personnel, the DOH shall field its own medical personnel at such diagnostic and laboratory clinics.

SECTION 5. *Personnel.* – The Local Government Unit concerned shall create the positions for medical personnel needed to operate the diagnostic and laboratory clinics. It shall coordinate with the DOH as to the qualifications needed of such personnel. The medical personnel shall be the employees of the Local Government Unit save in cases where the concerned personnel have been fielded by the DOH due to lack of qualified personnel coming from the Local Government Unit.

SECTION 6. *Source of Funding.* – The amount necessary for the establishment of these diagnostic and laboratory clinics shall be as follows:

A. Physical Structure. – 50% of the amount necessary to establish a diagnostic and laboratory clinic in each municipality shall be shouldered by the Department of Public Works and Highways. The city or provincial government, as the case may be, shall shoulder the other 25% while the remaining 25% shall be shouldered by the municipality or municipalities themselves.

B. Personnel. – The municipality or the city or provincial government, as the case may be, shall shoulder the salaries and emoluments of all personnel employed by it. All salaries and emoluments of personnel and trainers fielded by the DOH to such diagnostic and laboratory clinics shall be the responsibility of the DOH.

C. Equipment. – The municipality or city or provincial government, as the case may be, shall coordinate with the DOH as to which model and kind of medical equipment will be installed or made available at such diagnostic laboratories and clinics. The municipality and/or city or provincial government, as the case may be, concerned shall procure said equipment chargeable to its own funding. In cases where a diagnostic clinic and laboratory clinic will cater to only one (1) municipality, 50% of the amount of the equipment needed shall be borne by the city or provincial government, as the case may be while the remaining 50% shall be borne by the municipalities concerned.

D. Services free of charge. – The diagnostic and laboratory clinic created under this Act shall offer its services free of charge. It shall setup programs that will cater and enable all constituents under its jurisdiction, especially the less fortunate, to avail of such services in line with the programs of the DOH.

SECTION 7. *Appropriations.* – The amounts necessary to carry out the provisions of this Act for the current year from which this Act is enacted shall be chargeable to the budget of the DPWH and DOH as applicable. In no way does this limit the Office of the President in augmenting the budget of the DPWH and DOH to achieve the purpose of this Act legally. The local government units' share in the establishment of the above-mentioned facility and procurement of equipment shall be taken from their respective share of Internal Revenue Allotments. Succeeding appropriations shall be included General Appropriations Act as needed.

SECTION 8. *Separability Clause.* - If, for any reason or reasons, any part or provision of this Act shall be declared as unconstitutional or invalid, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 9. *Repealing Clause.* - All provisions of existing laws, orders, rules and regulations or parts thereof which are in conflict or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 10. *Effectivity.* - This Act shall take effect immediately upon its publication in the Official Gazette or in at least two (2) newspapers of general circulation in the Philippines.

Approved,