

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

NINETEENTH CONGRESS

First Regular Session

House Bill No. 2578



Introduced by: **REPRESENTATIVE EDWIN L. OLIVAREZ**

EXPLANATORY NOTE

Chronic kidney disease is not only a debilitating disease in its own right, but can also contribute to, or be impacted by, other prominent chronic diseases, such as but not limited to hypertension, cardiovascular diseases and pulmonary diseases, among others. Kidney disease is a very common ailment worldwide, and if left untreated or not properly attended to it could lead to hemo or peritoneal dialysis which would hasten the untimely demise of a patient. In the Philippines, kidney disease is reported as the 7th leading cause of death among Filipinos. Kidney transplant which is really the only ultimate solution to kidney failure is too expensive and it usually takes a very long time to get a kidney donor especially for un-related donation. Thus, many Filipinos with serious kidney problems heavily, if not solely, rely on dialysis to survive.

In the current Philhealth package for dialysis patients, only 90 sessions are covered annually with a P2,500.00 case rate. However, this provision has time and again been proven to be inadequate as it only covers 45 weeks out of the 52 weeks comprising a year, assuming a patient is required to undergo dialysis twice a week, or only 30 weeks out of the 52 weeks, assuming a patient is required to undergo dialysis thrice a week. What usually happens therefore is that kidney patients stop undergoing dialysis towards the latter part of the year due to the expiration of the coverage of their package being provided by Philhealth. As a result, these patients personally shell out their

expenses amounting to P2,800.00 per session in dialysis treatment which became an enormous burden on the part of their families. After the expiration of their Philhealth package, the dialysis treatment of the patients who belong to poor families became intermittent thus they succumb to death due to their intermittent or lack of treatment that could have been clearly preventable in the first place.

A case in point is that of a girl in her very tender years of 15, who was undergoing dialysis in Dasmarinas, Cavite. The Philhealth coverage of her mother expired by the month of October. Being indigent and with not sufficient source of income to sustain her treatment in the same way as when Philhealth was still subsidizing it, her family then limited her dialysis sessions to one or sometimes none at all every week in the months of November to December, instead of the required three, and also stopped availing of the necessary and related medical interventions such as the injection of epoiten Alfa or Beta Injections to increase the count of her red blood cells during her dialysis sessions. As a result, the young girl met her demise come the month of December of the same year. Although during her dialysis treatments when Philhealth package had not expired yet, the child was so vibrant and in fact, could still walk around.

From the foregoing, it can be seen that the current Philhealth coverage for dialysis patients defeats the very purpose and objective of the healthcare system of our government – which is to provide the public, especially the poor and the marginalized, the necessary medical assistance that they otherwise could not afford. Men and women, old and young all suffer the consequences of this limitation in the State's healthcare services. Thus, this bill is being proposed in order to correct this flaw and ensure that Filipinos suffering from serious kidney disease that require dialysis are not rendered helpless and hopeless by the end-months of every year when their Philhealth package has already been exhausted. This act also aims to make dialysis totally free-of-charge.



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AN ACT
MANDATING THE PHILIPPINE HEALTH INSURANCE
CORPORATION (PHILHEALTH) TO INCREASE THE
HEMODIALYSIS TREATMENT COVERAGE OF ITS MEMBERS
TO AT LEAST ONE HUNDRED FIFTY SIX (156) SESSIONS
ANNUALLY, AND PROVIDING SAID MEDICAL PACKAGE
FREE-OF-CHARGE TO INDIGENT PATIENTS

Section 1. *Short Title.* This Act shall be known as the
“Philhealth Hemodialysis Expansion Act of 2022.”

Sec. 2. *Declaration of Policy.* It is hereby declared as a
policy of the State to ensure that the provision of healthcare
services is truly adequate, affordable and accessible to the
Filipino people, most especially to those who are considered
indigent, as defined in this Act.

Sec. 3. *Coverage.* This Act shall cover Philhealth members,
and their qualified dependents as defined in Section V, Rule I,
Title III of the Revised Implementing Rules and Regulations (IRR)
of the National Health Insurance Act of 2013, otherwise known as
Republic Act (RA) 7875 as amended by RA 9241 and RA 10606.

Sec. 4. *Definition of Terms.* The following terms, as used
in this Act, shall mean:

Hemodialysis – A medical procedure to remove
fluid and waste products from the blood and to correct

electrolyte imbalances through the use of a machine and a dialyzer, also referred to as an "artificial kidney." Hemodialysis is used to treat both acute (temporary) and chronic (permanent) kidney failure.

Indigent member – For purposes of this Act, an indigent member shall refer to the Philhealth member:

(1) Whose combined family income does not exceed Php500,000 pesos annually or which does not exceed the Philippines' official poverty line threshold from the previous year as set by the Philippine Statistics Authority in consultation with the appropriate inter-agency technical committee, whichever is higher; or

(2) Whose income is insufficient for family subsistence, as identified by the Department of Social Welfare and Development (DSWD), based on specific criteria. All indigents identified by the DSWD under the National Household Targeting System (NHTS) for Poverty Reduction and other such acceptable methods.

It is understood that qualified dependents of the indigent members are also covered by the benefits and services provided in this Act. Provided further, that any ambiguity or conflict in interpretation of the definition of indigency shall be resolved in favor of the Philhealth member.

Sec. 5. Expansion of the Dialysis Treatment Coverage.

PhilHealth shall increase the coverage for dialysis treatment of its members, or their qualified dependents as provided in PhilHealth's applicable rules and guidelines, from ninety (90) sessions per year to one hundred fifty six (156) sessions per year, without further reducing the case rate amount of Two Thousand Five Hundred Pesos (Php 2,500.00) per session.

Sec. 6. Free Dialysis Treatment for Indigent members.

The annual one hundred fifty six (156) sessions of dialysis treatment shall be completely free-of-charge or no cash out if the patient is considered an indigent member as defined under this

Act. Provided further, that qualified dependents are understood to also be covered by this provision.

Sec. 7. Application and Certification of Indigency. The Philhealth member who wishes to qualify under the free dialysis treatment for indigent members shall apply for a certificate of indigency at any point within the year. Once approved, the remaining dialysis sessions required of the patient for the rest of the year after the Certificate of Indigency is issued shall be free-of-charge. Said certificate shall be renewable by the end of the year, in order to avail of the free dialysis treatment for the entire succeeding year.

Sec. 8. Requirement for Certificate of Indigency. Philhealth shall endeavor to create an efficient, cost-effective, and unbureaucratic application process or system including the documentary requirements, for its members who wish to apply for a certificate of indigency in order to avail the benefits under this Act.

Sec. 9. Implementing Agencies and Rules. Philhealth shall issue the necessary implementing rules and regulations to implement the provisions of this Act within ninety (90) days after its effectivity.

Sec. 8. Separability Clause. If any provision of this Act is declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall remain valid, and in full force and effect.

Sec. 10. Repealing Clause. All laws, orders, decrees, rules and regulations and other parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified.

Sec. 11. Effectivity. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,