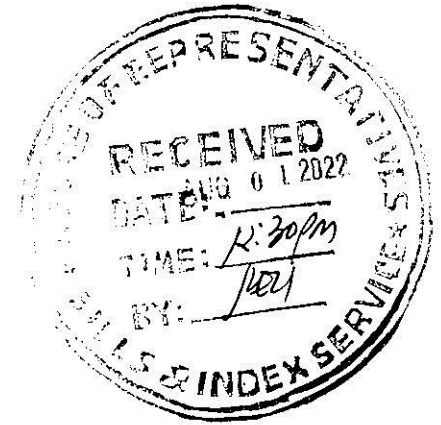


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

2814
HOUSE BILL NO. _____



Introduced by Representatives
HORACIO P. SUANSING, JR. and MIKAELA ANGELA B. SUANSING

**AN ACT
PROVIDING FREE DIALYSIS PROCEDURES TO ALL INDIGENT
AND SENIOR CITIZEN PATIENTS**

EXPLANATORY NOTE

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

Over the past few years, the Philippines has experienced a mounting mortality rate due to kidney failure. Kidney failure has also become the 10th leading cause of mortality in the country in 2020 and one of the leading causes of hospitalization. Consequently, the number of dialysis treatments being made in the country has increased to approximately 400 percent in the past ten years.¹

Moreover, a significant number of senior citizens face some form of kidney disease or affliction, such as Chronic Kidney Disease (CKD) and kidney complications due to diabetes, high blood pressure and heart disease, illnesses more common to the elderly.² CKD is a long-term condition where the kidneys do not function in full capacity. Some estimates show that 10% of the population worldwide is affected by some degree of CKD, and millions die each year because they do not have access to affordable treatment.³ CKD is more prevalent among senior citizens due to the natural aging of the kidneys: after the age of 40, kidney filtration begins to fall by approximately 1% per year.⁴

CKD is largely preventable and treatable through dialysis procedures such as hemodialysis and peritoneal dialysis.⁵ The average cost of a hemodialysis session in the Philippines is about PHP4,500, and patients with higher degrees of CKD and other serious kidney ailments have to undergo sessions three times in a week. Thus, the total amount of

¹ <https://mb.com.ph/2022/03/08/kidney-health-for-all/>

² <https://www.worldkidneyday.org/facts/chronic-kidney-disease/>

³ <https://www.kidney.org/kidneydisease/global-facts-about-kidney-disease>

⁴ Ibid.

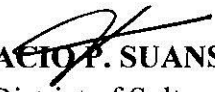
⁵ <https://www.nhs.uk/conditions/kidney-disease/treatment/>

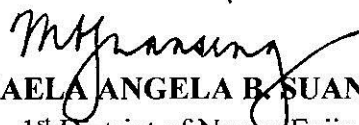
expenses for patients who need to undergo hemodialysis sessions three times in a week is around P13,500 per week (discounting transportation costs to and from dialysis centers). This amount is a large expense for the average Filipino, especially given the adverse effects of the COVID-19 pandemic on the economic security of indigent Filipinos, senior citizens and their respective families.⁶

Furthermore, while the Philippine Health Insurance Corporation (PhilHealth) increased its subsidy for patients who need up to the full 144 dialysis sessions for a year of dialysis treatment last 2021,⁷ the distribution of subsidies for the dialysis treatments of beneficiaries is being done on a per-year basis, and provision of the subsidy has not yet been institutionalized.

The following measure pursues the provision of free Department of Health (DOH) approved dialysis procedures to indigent and senior citizen patients afflicted by serious kidney ailments, in order to alleviate the significant financial burden of their treatments on them and their families.

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


HORACIO P. SUANSING, JR.
2nd District of Sultan Kudarat


MIKAELA ANGELA B. SUANSING
1st District of Nueva Ecija

⁶<https://www.pna.gov.ph/articles/1086669#:~:text=The%20average%20cost%20of%20a%20hemodialysis%20session%20in,%E2%80%93%20a%20large%20expense%20for%20the%20average%20Filipino>

⁷ https://www.philhealth.gov.ph/news/2021/dialysis_coverage.pdf

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

SECTION 1. *Short Title.* – This Act shall be known as the "Libreng Dialysis Act of 2022."

SECTION 2. *Free Dialysis for All Senior Citizens.* – The cost of all the needed hemodialysis, peritoneal dialysis, and other Department of Health (DOH)-approved dialysis procedures shall be fully reimbursed by the Philippines Health Insurance Corporation (PHIC);

Provided, That such treatment is availed of at PHIC-accredited hospitals or free-standing dialysis centers;

Provided, further, That only those procedures that use the dialysis solutions included in the latest edition of the Philippine National Drug Formulary (PNDF) shall be reimbursed by the PhilHealth;

Provided, finally, That only laboratory procedures and supplies considered necessary shall be covered by the PhilHealth. PhilHealth shall, as soon as possible, reimburse all official receipts for drugs, supplies, and laboratory procedures dated thirty (30) days prior to the date of the claimed session.

SECTION 3. *Free Dialysis Treatment to Indigent Patients.* – The DOH, in coordination with the PHIC, shall ensure that indigent patients are accorded free dialysis treatments in national, regional or provincial hospitals. For this purpose, "indigent patient" refers to a patient who has no visible means of income, or whose income is insufficient for the subsistence of his family, as identified by the Department of Social Welfare and Development (DSWD).

SECTION 4. *Authority to Receive Donations and Exemption from Donor's Taxes, Customs and Tariff Duties.* – The DOH shall have the authority to receive donations, gifts and bequests in order to augment the funding for the establishment of the dialysis clinics created in accordance with this Act. All donations, contributions or endowments which may be made by persons or entities to the dialysis clinics in national, regional and provincial hospitals and the importation of medical equipment and machineries, spare parts and other medical equipment used solely and exclusively by the dialysis clinics shall be exempt from income or donor's taxes, any other direct or indirect taxes, wharfage fees and other charges and restrictions.

SECTION 5. *Appropriations.* – The amount needed for the implementation of this Act shall be charged against the appropriations of the DOH and the PHIC in the current and subsequent General Appropriations Act and their own respective funds. Thereafter, the amount needed for the continued implementation of this Act shall be included in the budget of the concerned departments in the annual General Appropriations.

SECTION 6. *Implementing Rules and Regulations.* – Within thirty (30) days from the approval of this Act, the DOH, the PHIC, the DSWD and the National Commission on Senior Citizens (NCSC), in coordination with other implementing agencies, shall formulate rules and guidelines as may be necessary for the proper implementation and enforcement of this Act.

SECTION 7. *Repealing Clause.* – All laws, decrees, executive orders, and proclamations, rules, and regulations or parts thereof inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SECTION 8. *Separability Clause.* – If any provision of this Act is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SECTION 9. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,