

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

NINETEENTH CONGRESS
1st Regular Session

House Bill No. 3046



**Introduced by Representatives PAOLO Z. DUTERTE, ERIC G. YAP,
EDVIC G. YAP, and JEFFREY SORIANO**

EXPLANATORY NOTE

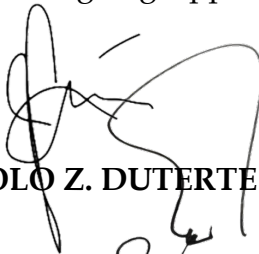
The 1987 Constitution takes cognizance of the duty of the State to protect and promote the right to health of its citizens, with an endeavor to make health services available at an affordable cost, most especially to the underprivileged sick.

Batasan Pambansa Bilang 702, as amended by Republic Act No. 8344 and Republic Act No. 10932, also known as the Anti-Hospital Deposit Law was enacted in order to penalize the refusal of hospitals or medical clinics to give immediate care or attention to patients owing to lack of advance payment. The said piece of legislation asserts the rights of an individual to be admitted to any hospital and be given basic emergency care without being asked to hand over an advance payment outright. This is consonance with the Hippocratic Oath that physicians take, pledging to help the sick in the best of their ability and knowledge. Hence, hospitals, in general, are duty-bound to provide care and treatment to those who are injured or suffering.

However, notwithstanding the propensity of the Anti-Hospital Deposit Law to deter such acts, there are still a significant number of reports of hospitals violating the said law. Thus, this entails the creation of an oversight mechanism in order to ensure the enforcement of the law and hold more violators accountable than just increasing the penalties alone.

This bill seeks to strengthen the measures corresponding the Anti-Hospital Deposit Law through an increase in the penal sanctions, alongside the provision of a hotline number which shall oversee the said implementation.

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



PAOLO Z. DUTERTE



EDVIC G. YAP



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JEFFREY SORIANO

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AN ACT
FURTHER STRENGTHENING THE ANTI-HOSPITAL DEPOSIT LAW BY INCREASING THE PENALTIES FOR THE REFUSAL OF HOSPITALS AND MEDICAL CLINICS TO ADMINISTER APPROPRIATE INITIAL MEDICAL TREATMENT AND SUPPORT IN EMERGENCY OR SERIOUS CASES AND BY CREATING A GOVERNMENT-RUN HOTLINE, AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 702, AS AMENDED, OTHERWISE KNOWN AS "AN ACT PROHIBITING THE DEMAND OF DEPOSITS OR ADVANCE PAYMENTS FOR THE CONFINEMENT OF TREATMENT OF PATIENTS IN HOSPITALS AND MEDICAL CLINICS IN CERTAIN CASES"

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

SEC. 1. Section 4 of Batas Pambansa Bilang 702, as amended, is hereby further amended to read as follows:

"SEC 4. Any official, medical practitioner or employee of the hospital or medical clinic who violates the provisions of this Act shall, upon conviction by final judgement, be punished by imprisonment of four (4) to six (6) years, or a fine of not less than Five hundred thousand pesos (P500,000.00) but not more than One million pesos (P1,000,000.00) or both, at the discretion of the court:

"*Provided, however,* That if such violation was committed pursuant to an established policy of the hospital or clinic or upon instruction of its management, the director or officer of such hospital or clinic responsible for the formulation and implementation of such policy shall, upon conviction by final judgement, suffer imprisonment of six (6) years and one (1) day to twelve (12) years, or a fine of not less than Two million pesos (P2,000,000.00) but not more than Five million pesos (P5,000,000.00) or both, at the discretion of the court, without prejudice to damages that may be awarded to the patient-complainant:

"*Provided, further, That upon three (3) repeated violations committed pursuant to an established policy of the hospital or clinic or upon the instruction of its management, the health facility's license to operate shall be revoked by the DOH. This shall be without prejudice to any administrative case that may be filed against said hospital or clinic official or employee with the corresponding penalty of the following, without limitation, such as suspension, cancellation, or revocation of professional licenses such as those issued by the Professional Regulation Commission.*

"The president, chairman, board of directors, or trustees, and other officers of the health facility shall be solidarily liable for damages that may be awarded by the court to the patient-complainant."

SEC. 2. New Section 9 shall be inserted after Section 8 of Batas Pambansa Bilang 702, as amended, to read as follows:

"**SEC. 9. *Anti-Hospital Deposit Law Hotline.*** - The Department of Health, with the assistance of the National Telecommunications Commission (NTC) and Department of Information and Communications Technology (DIT) shall establish a national hotline aimed at providing telephone and cellphone numbers which the public may call for immediate assistance and intervention regarding their concerns on anti-hospital deposit. The hotline shall run twenty-four hours a day, seven days a week, and shall be available to answer calls and provide assistance in the fastest possible time."

SEC. 3. *Separability Clause.* - If any part or provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof which are not affected shall continue to be in full force and effect.

SEC. 4. *Repealing Clause.* - All laws, decrees, executive orders, statutes, provisions, regulations and other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 5. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspaper of general circulation.

Approved,