



Republic of the Philippines

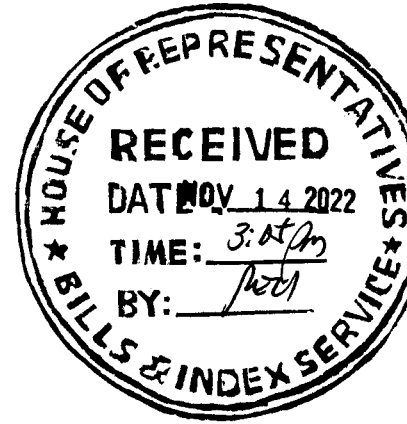
HOUSE OF REPRESENTATIVES

Batasang Pambansa, Quezon City

Nineteenth Congress

First Regular Session

House Bill No. 6119



Introduced by Representative Florencio Gabriel "Bem" G. Noel

EXPLANATORY NOTE

Article XIII, Section 11 of the 1987 Philippine Constitution provides that:

"The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers."

The Philippines is listed as one of the high-risk populations when it comes to renal disease because of the numerous cases of diabetes, high blood pressure and other hereditary diseases, all of which can lead to kidney malfunction. The World Health Organization published that in 2020 Kidney Disease Deaths in Philippines reached 39,380 or 5.84% of total deaths. The age adjusted Death Rate is 51.96 per 100,000 of population ranks Philippines tenth in the world.

The cost of medical treatment for kidney disease is very expensive, beyond the reach of ordinary patients. It was reported that, only 73% of Filipino patients with kidney failure were able to afford necessary treatment. Government hospitals tend to have lower prices but can accommodate only a limited number of patients at a time.

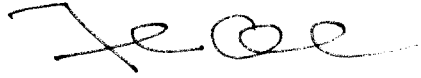
A study by the Philippine Society of Nephrology showed that 60% of Chronic Kidney Disease (CKD) patients are the so-called service patients who badly needed state subsidy to get the life-saving treatment. And most of them usually reach out to politicians, foundations, state agencies such as the Philippine Charity Sweepstakes Office (PCSO) and DSWD among others.

Despite the efforts of the government, occurrence of renal diseases in the country is on the rise. More and more CKD patients experiencing economic difficulties who cannot afford the cost of the necessary treatment as well as the cost of transportation to the available hospital/clinic tend to forego the treatment.

In consonance with the constitutional mandate to make health services available to all the people at affordable cost, this bill encourages all local government hospitals to modernize the operation of their existing dialysis facilities and to cater and made available and accessible to

the people most especially to the indigent citizens. This bill further requires that dialysis treatment should be provided to indigent patients, free of charge.

Considering all the above mentioned, the immediate approval of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'F. Noel', with a stylized flourish at the end.

FLORENCIO GABRIEL "BEM" NOEL

*Representative
An-Waray Partylist*



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House Bill No. **6119**

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**AN ACT URGING ALL LOCAL GOVERNMENT HOSPITALS TO MODERNIZE
THE OPERATION OF THEIR EXISTING DIALYSIS CENTER, AND PROVIDE
FREE DIALYSIS TREATMENT TO INDIGENT PATIENTS AND
APPROPRIATING FUNDS THEREFOR**

Be 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 "*Free Dialysis for Indigent Patients Act*".

SEC 2. *Declaration of Policy.* It is the declared policy of the State to improve the delivery of health care services to the people and to ensure hospital facilities are available, affordable and accessible to the people especially to the indigent.

SEC. 3. *Definition of Terms.* For purposes of this Act, the following terms shall mean:

- a) "Dialysis Center" shall refer to a center that provides treatment for chronic kidney disease (CKD) and disseminates information for its prevention. It is a non-hospital or hospital-based unit approved and licensed to furnish outpatient dialysis services.
- b) The term "Income" shall not include the pension received by retirees.
- c) "Indigent Patient" shall refer to a patient whose combined annual family income does not exceed Fifteen Thousand (P15,000.00) monthly or One Hundred Eighty Thousand (P180,000.00) annually (evidenced by an updated Income Tax Return) and certification by the Local Government where they reside through the local Social Welfare & Development Office.

SEC. 4. *Modernizing the Operation of Existing Dialysis Center.* Within three (3) years from the effectivity of this Act, all local government hospitals operating and maintaining a dialysis center in their respective hospitals or non-hospital based unit thereof, shall offer free dialysis treatment to qualified indigent patients. It shall have a dialysis service area compliant with the Licensing Requirements imposed by the Department of Health (DOH) for private dialysis

clinics in accordance with the prevailing and applicable DOH administrative order. It shall further be provided with the necessary personnel and equipped with complete and operational dialysis machine, equipment and supplies as provided for in the same DOH-issued Licensing Requirements for private dialysis clinics.

The Dialysis Center shall further have a non-treatment area which shall serve as a waiting area for CKD patients and a business area for information service that shall give importance on information dissemination on the prevention of CKD as well as providing the patients with updates on treatment options and the possibility of a kidney transplant.

SEC. 5. *Free Dialysis for All Indigent Patients.* Indigent patients, as defined in Section 3 (c) hereof, shall be provided dialysis treatment in all local hospitals.

The cost of all the needed hemodialysis, peritoneal dialysis, and other Department of Health (DOH) approved dialysis procedure shall be fully reimbursed by the Philippine Health Insurance Corporation (PHIC), provided such treatment is availed of at PHIC accredited hospitals, free-standing dialysis centers, and dialysis service facilities established and operated by local government units (LGUs). 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.

SEC. 6. *Indigent Patients Qualified for Free Dialysis Service Treatment.* To ensure that only those qualified shall be extended free dialysis service treatment, the applicant-patient shall be required to execute an "Affidavit of Indigency", and submit any of the following documents:

1. Latest Income Tax Return (ITR) or pay slip, or other proofs of net income; and
2. Certificate of Indigency from the Department of Social Welfare and Development (DSWD), or the City/ Municipal Social Welfare and Development Office having jurisdiction over the residence of the applicant; or
3. Certificate of Indigency and/or No Income from the Office of the Punong Barangay/ Barangay Chairperson having jurisdiction over the residence of the applicant.

SEC. 7. *Implementing Rules and Regulations.* Within thirty (30) days from the approval of this Act, the DOH, and the PHIC, in coordination with LGUs, shall formulate rules and guidelines as may be necessary for the proper implementation and enforcement of this Act.

SEC. 8. *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. Such amount as may be necessary to cover the initial implementation of this Act shall be charged against the current year's appropriation. Thereafter, the amount necessary for the continuous implementation of this Act shall be included in the budget of the concerned departments in the annual General Appropriations.

SEC. 9. *Separability Clause.* If any provision of this Act or the application thereof to any person or circumstance is declared invalid or unconstitutional, the other provisions or sections

of this Act and the application of such provision or section to other persons or circumstances, not affected thereby shall continue to be in full force and effect.

SEC. 10. *Repealing Clause.* Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

SEC. 11. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette or any newspaper of general circulation.

Approved,