

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 1034



INTRODUCED BY HONORABLE MILAGROS AQUINO-MAGSAYSAY

EXPLANATORY NOTE

This bill seeks to provide for free hemodialysis, peritoneal dialysis, and other similar essential dialysis procedures approved by the Department of Health (DOH) for Filipino senior citizens.

Chronic Kidney Disease (CKD) continues to be a major health concern which affects an estimated one on every ten persons. Although usually considered a comorbidity of diabetes and hypertension, kidney disease has numerous complex causes. It has been shown that the elderly, especially those senior citizens from 65 to 74 years old are prone to CKD, with one in every five men, and one in every four women affected. This susceptibility places senior citizens at a higher risk of serious complications and death from heart attacks and strokes.

The Global Burden of Disease Study of 2015 estimated 1.2M people died from kidney disease, a 32% increase from 2005. The 2017 Global Burden of Disease Study conducted by the Institute for Health Metrics and Evaluation (IHME) emphasized the continuing considerable impact of CKD on mortality and morbidity rates around the world. The World Health Organization (WHO) itself estimates 5 to 10 million people die annually from kidney disease.

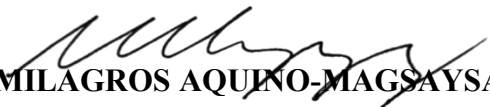
In the Philippines, kidney disease, especially End-Stage Renal Disease (ESRD), is already the 7th leading cause of death among Filipinos. According to the National Kidney and Transplant Institute (NKTi), 120 Filipinos per million population per year develop chronic renal failure. The Philippines is said to have experienced a large rise in the prevalence of dialysis with an approximate increase of 400% over the past 10 years. At present, more than 5,000 Filipino patients are undergoing dialysis and an approximately 1.1 million people worldwide are on renal replacement therapy.

Thus, access to proper treatments like hemodialysis, peritoneal dialysis, and other dialysis procedures may mitigate the suffering and adverse effects of CKD, although at a significant cost. Previously, under PHILHEALTH Circular No. 22-2015, only covered 90 of the 144 needed dialysis sessions, leaving the remaining 54 sessions in the amount of around P135,000.00 to be

borne by the patient. With the passage of Republic Act (RA) No. 11223, otherwise known as the “Universal Health Care (UHC) Act”, it is now provided that a portion of the funds from the Philippine Amusement and Gaming Corporation (PAGCOR) income and Philippine Charity Sweepstakes Office (PCSO) charity fund shall be transferred to PHILHEALTH for the improvement of benefits packages, including the hemodialysis benefits package. PHILHEALTH Board Resolution No. 2776, Series of 2023 further expanded the hemodialysis benefit package to cover 156 HD sessions per year, or 52 weeks of 3x a week HD sessions.

Considering the reality that many senior citizens are already undergoing dialysis procedures, and the inevitability of many Filipino elderly developing CKD which will eventually require costly dialysis sessions, this bill seeks to institutionalize and further formalize such expanded benefit packages under PHILHEALTH, specifically for dialysis treatments for senior citizens.

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


HON. MILAGROS AQUINO-MAGSAYSAY

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**AN ACT PROVIDING FOR FREE HEMODIALYSIS, PERITONEAL DIALYSIS,
AND OTHER DEPARTMENT OF HEALTH-APPROVED DIALYSIS PROCEDURES
TO FILIPINO SENIOR CITIZENS**

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 “*Free Dialysis for Seniors Act of 2025*”.

SECTION 2. Declaration of Policy – It shall be the declared policy of the State to protect and promote the welfare and interest of Filipino senior citizens, and ensure a decent and dignified standard of living and quality of life by providing accessible programs and affordable services.

Under the 1987 Constitution, Article XIII, Section 11, the State is mandated to “*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.***” In addition, Article II, Section X declares: “*The State shall promote social justice in all phases of national development.*” Moreover, Article XV, Section IV provides: “*The family has the duty to care for its elderly members, but the State may also do so through just programs of social security.*”

SECTION 3. Definition of Terms – As used in this Act, the following terms shall mean:

a. “**Chronic Kidney Disease Stage 5 (CKD5)**” - refers to end-stage renal disease (ESRD) or an advanced stage of kidney disease resulting to irreversible loss of nearly all ability to remove toxic by-products from the blood.

b. **"Hemodialysis (HD)"** - refers to medical procedure of removing fluid and waste products from the blood, and correcting electrolyte imbalances. This is accomplished using a synthetic membrane or dialyzer, which is also referred to as an “artificial kidney”.

c. **"Philippine Dialysis Database (PDD)"** – refers to a system that collects data on members and dependents with CKD5 (previously known as End-Stage Renal Disease (ESRD)), who are prescribed HD, peritoneal dialysis, or kidney transplantation (KT).

SECTION 4. Free Dialysis Sessions for Filipino Senior Citizens – The cost of the needed hemodialysis, peritoneal dialysis, and other DOH-approved dialysis procedure shall be reimbursed by the Philippine Health Insurance Corporation (PHILHEALTH), provided such treatment is availed of at PHILHEALTH-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 5. Manner of Availment - Pursuant to PHILHEALTH Circular No. 2023-0009, the free dialysis for free senior citizens shall be availed of under the following terms:

- a. Senior citizen patients with CKD5 on dialysis treatment shall be allowed up to a maximum of 156 treatment sessions per year based on the prescription of their nephrologist;
- b. All senior citizen patients diagnosed with CKD5 shall be registered in the PDD in accordance with PC No. 2016-0007, or “PhilHealth Dialysis Database (PDD)”;
- c. The package rate for HD treatment is P2,600/session, divided between health facility (HF) and professional, as follows:

Package Rate:	HD Fee	Professional Fee
P2,600.00	P2,250.00	P350.00

- d. The benefits package includes the use of facility and dialysis machine, PNF drugs as needed, IV solutions, supplies, dialyzer, and professional fees;
- e. The 45-day annual benefit limit shall not apply to the 156 HD benefits package. In the event that the CKD5 patient on HD needs hospital confinement, the HD session shall be filed separately and shall not overlap with the In-Patient claim;
- f. Unused HD treatment session of the current year shall not be carried over to the succeeding year;
- g. The “No-Balance-Billing (NBB)” Policy, as stipulated under PC No. 2017-0017, shall apply to healthcare services contemplated under PhilHealth Circ. 2023-0009;
- h. Accredited health facility providing services for the HD shall be subject to the current performance monitoring policy of the PhilHealth;

- i. Accredited health facility shall comply with all the provisions in their Performance Commitment and other rules and regulations governing PhilHealth accreditation;
- j. In case of delays in the filing of claims due to natural calamity or other fortuitous events, the existing guidelines of PhilHealth on providing special privileges to those affected by fortuitous events shall apply;
- k. In order to educate the general public and increase their awareness of this benefits package and to promote informed decision-making and participation among elderly patients, healthcare professionals, and health facilities, and other stakeholders, marketing and promotional activities shall be undertaken following the integrated marketing and communications plan of PhilHealth;
- l. The monitoring of benefits delivery and performance of health facility shall be anchored on PhilHealth's monitoring framework. Random post-audits shall be conducted upon implementation of PhilHealth Circ. 2023-0009 to monitor, evaluate, and revise this policy, as necessary; and
- m. In consultation and collaboration with relevant stakeholders, experts and technical staff, the PhilHealth shall conduct the policy review of this benefits package as necessary, and recommend further enhancements for better implementation and optimum availment of senior citizens.

SECTION 6. Appropriation - The amount needed for the implementation of this Act shall be charged to the current year's appropriations of the DOH and the PHILHEALTH, in the current and subsequent General Appropriations Act and their own respective funds. Thereafter, such amount as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

This is without prejudice to the portion of funds that PHILHEALTH may continue to receive from the Philippine Amusement and Gaming Corporation (PAGCOR) and the Philippine Charity Sweepstakes Office (PCSO) for further improvement of existing benefit packages, programs or services under PHILHEALTH.

SECTION 7. Implementing Rules and Regulations- Within ninety (90) days or three (3) months from the approval of this Act, the DOH, PHILHEALTH, the National Commission on Senior Citizens (NCSC), in coordination with other relevant implementing agencies and concerned stakeholders, shall formulate and promulgate the rules and regulations necessary for the effective implementation of this Act.

SECTION 8. Separability Clause – If any portion or provision of this Act is declared invalid or unconstitutional, other provisions not affected thereby shall continue to be in full force and effect.

SECTION 9. Repealing Clause – All laws, decrees, executive orders, rules or regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 10. Effectivity – This Act shall take effect fifteen (15) days after publication in the Official Gazette or in newspaper of general circulation.

Approved