



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



Twentieth Congress
First Regular Session

HOUSE BILL NO. **2515**

Introduced by Representative Giselle Mary L. Maceda

EXPLANATORY NOTE

Children are the most valuable asset and the hope of the nation. In Philippine society, they represent the future leaders, innovators, and caretakers of the country. Their well-being and development directly impact the progress and prosperity of the nation. Recognizing their crucial role, it is imperative that the State prioritizes their health and welfare, particularly those from indigent families who are most vulnerable to health risks and deprived of adequate medical care.

The 1987 Philippine Constitution mandates the State to protect and promote rights of children. Among the many provisions affording them protection, Article XIII, Section 11 mandates 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."

Despite this constitutional mandate, many indigent children across the country still suffer from preventable and treatable illnesses due to lack of access to basic medical and dental care. This gap in healthcare access undermines not only their physical development but also their ability to live productive and dignified lives.

In order to breathe life into this constitutional provision, this bill seeks to require all government and private hospitals, medical centers, clinics, infirmaries, and puericulture centers to provide free medical and dental services to indigent

children. By doing so, this bill aims to institutionalize the delivery of essential healthcare services to the most vulnerable children, thus promoting their right to health and ensuring that no child is left behind due to poverty or lack of access to proper care.

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



REP. GISELLE MARY L. MACEDA
4th District, Manila City



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AN ACT
REQUIRING ALL GOVERNMENT AND PRIVATE HOSPITALS, MEDICAL
CENTERS, CLINICS, INFIRMARIES AND PUERICULTURE CENTERS TO
PROVIDE FREE MEDICAL AND DENTAL SERVICES TO INDIGENT
CHILDREN

Be it 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 MEDICAL AND DENTAL SERVICES FOR INDIGENT CHILDREN ACT**.

SECTION 2. *Declaration of Policy.* - It is hereby declared the policy of the State 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.

Towards this end, the State shall ensure that all indigent children are granted access to free medical and dental services in all government and private health institutions to promote child health, reduce child mortality, and support families in extreme poverty.

SECTION 3. *Indigent Children.* - For purposes of this Act, "indigent children" shall refer to persons below eighteen (18) years of age whose families have no visible

means of income or whose income is insufficient to meet basic needs as determined by the Department of Social Welfare and Development (DSWD).

SECTION 4. *Free Medical and Dental Services; Issuance of Certification* – All government and private hospitals, medical centers, clinics, infirmaries and puericulture centers duly licensed to operate as such, are hereby required to provide free medical and dental services to indigent children, regardless of whether or not they are suffering from a life-threatening condition and/or may have suffered physical injuries requiring immediate medical attention.

To ensure compliance with the provisions of this Act, all indigent children treated by private hospitals, medical centers, clinics, infirmaries or puericulture centers shall be provided with a certificate issued by the social worker assigned to the hospital, medical center, clinic, infirmary or puericulture center, which contain the following information:

1. Name of patient;
2. That the patient is indigent, stating the supporting proof thereof;
3. Service/s rendered to the patient;
4. Cost of such service/s based on the existing price list of the hospital, medical center, clinic, infirmary or puericulture center at the time of treatment; and
5. Attestation from the social worker that all information contained therein are true and correct to his/her knowledge.

SECTION 5. *Incentives for Private Hospitals.* – The expenses and losses of earnings incurred by a private hospital, medical center, clinic, infirmary or puericulture center, or by an individual physician or dentist, for medicine, facilities and services extended to the care and treatment of indigent children as required herein, in the amount not exceeding Five Hundred Thousand Pesos (Php500,000.00) per year, shall be considered deductible expenses and losses for income tax purposes, which may be carried over for the next three (3) consecutive taxable years immediately following the year of such expense.

SECTION 6. *Penal Clause.* – Any hospital director, administrator, officer-in-charge, physician, or dentist in a hospital, medical center, clinic, infirmary or puericulture center who shall refuse or fail without good cause to render the appropriate medical and dental services under this Act, after the child has been brought to their attention; or any nurse, midwife, medical or dental attendant who shall refuse to extend the appropriate assistance, subject to existing rules, or neglects to notify or

call the attention of a physician or dentist in attendance, shall be penalized as follows:

1. On the first offense, a fine of Fifty Thousand Pesos (Php50,000.00);
2. On the second offense, a fine of One Hundred Thousand Pesos (Php100,000.00) and suspension of license for up to six (6) months;
3. On the third offense, a fine of One Hundred Fifty Thousand Pesos (Php150,000.00) and revocation of license.

SECTION 7. *Implementing Rules and Regulations.* – The Department of Social Welfare and Development (DSWD) and the Department of Health (DOH) shall issue the necessary rules and regulations for the effective implementation of this Act within sixty (60) days from its effectivity.

For this purpose, the DSWD shall promulgate the necessary guidelines to determine if a child in need of medical and/or dental service may be considered indigent, taking into account the age of the child, the financial condition of the family, and other similar factors.

The DOH, on the other hand, shall coordinate and establish the necessary mechanisms and regulations to govern both government and private hospitals, medical centers, clinics, infirmaries and puericulture centers in the implementation of this Act.

SECTION 8. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be sourced from the budgets of the DSWD and DOH under the current General Appropriations Act (GAA). Thereafter, such sums necessary for the continued implementation of this Act shall be included in their annual GAA.

SECTION 9. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional or invalid, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SECTION 10. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules and regulations and other issuances, or any part thereof, inconsistent with this Act are hereby repealed, modified, or amended accordingly.

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

Approved,