

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 5331



Introduced by: Hon. Keith Micah "Atty. Mike" D.L. Tan

AN ACT
ESTABLISHING APEX HOSPITALS IN EVERY REGION OF THE COUNTRY AND
PROVIDING FUNDS THEREFOR

EXPLANATORY NOTE

This bill which was approved on final reading, during the 18th Congress, by the House of Representatives is now being refiled consistent with Article II, Section 15 of the 1987 Constitution, which provides that "The State shall protect and promote the right to health of the people and instill health consciousness among them.

Also, Article XIII, Section 11 states 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."

The bill seeks to transform regional hospitals in the country into functioning apex hospitals and the establishment of new apex hospitals in strategic areas.

Consistent with Republic Act No. 11223, otherwise known as the "Universal health Care Act", which ensures that all Filipinos are guaranteed equitable access to quality and affordable health care goods and services, the bill provides for the establishment and upgrading of regional hospitals to enable them with minimum functional capacities of apex hospitals that are at par with international health care institutions that provide quality medical services.

It also seeks strengthen the Philippine health delivery system through establishing of the Apex Hospital Modernization Program for the establishment, development, and enhancement of the physical facilities, equipment and instruments, and service delivery of all the apex hospitals.

For these reasons, the swift passage of this bill is earnestly sought.


Keith Micah "Atty. Mike" D.L. Tan
4th District, Quezon

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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 “Apex Hospitals Act.”

SEC. 2. *Declaration of Policy.* – It is the policy of the State to adopt an integrated and comprehensive approach to health development which shall make health services available, accessible and affordable for all. To this end, reforms shall be introduced to the Philippine health delivery system to achieve universal health care for Filipinos through the upgrading of facilities that shall transform regional hospitals into functioning apex hospitals and the establishment of new apex hospitals in strategic areas of the country.

SEC. 3. *Definition of Terms.* – As used in this Act:

(a) *Anatomic and clinical pathology laboratory system* – refers to a facility for the diagnosis of diseases through laboratory testing of blood and other body fluids, tissues, and the microscopic evaluation of individual cells. The laboratory testing shall cover the following areas:

1) Anatomic pathology, which includes histopathology, cytopathology, and electron microscopy; and

2) Clinical pathology, which includes clinical microbiology, clinical chemistry, hematology, blood bank, and molecular diagnostics or DNA testing.

(b) *Angiogram* – refers to a diagnostic procedure that outlines blood vessels, usually arteries, in various areas in the body to identify narrowing of or blockages in the arteries in the body;

(c) *Apex hospital* – refers to an end-referral hospital offering specialized services in accordance with this Act, and is contracted as a stand-alone facility by the Philippine Health Insurance Corporation (PhilHealth);

(d) *Basic emergency care* – refers to the response to a situation where there is urgently required medical care and attention, and shall include procedures required for initial diagnosis, use of equipment and supplies in sufficiently addressing the emergency situation, considering the welfare of the patient. It also includes the necessary medical procedures and treatment administered to a woman in active labor to ensure the safe delivery of the newborn;

(e) *Computed tomography (CT) scan* – refers to an X-ray image which is produced by applying tomography, a technique wherein a computer controls the motion of the X-ray source and detectors, and processes the data to produce the image. The detailed images of internal organs obtained by this type of sophisticated X-ray device can reveal anatomic details of internal organs that cannot be seen in conventional X-rays;

(f) *Dialysis* – refers to the process of removing waste products and excess fluid from the body. Dialysis is necessary when the kidneys are not able to adequately filter the blood;

(g) *Dialysis facility system* – refers to a facility that provides treatment for chronic kidney disease;

(h) *High risk pregnancy unit (HRPU)* – refers to a unit in the hospital where women with complications arising from pregnancy are confined, and whose treatment requires constant supervision or further investigation and assessment. The unit is operated by experts such as perinatologists, obstetricians and pediatricians, with the assistance of other specialists. It is a fully equipped obstetric intensive care unit (ICU) that can handle high risk cases including high risk neonates;

(i) *Intensive care unit (ICU)* – refers to a hospital unit where patients requiring close monitoring, continuous attention, and intensive or critical care are confined. An ICU contains highly technical monitoring devices and equipment with specially trained personnel on critical care;

(j) *Magnetic resonance imaging (MRI)* – refers to a procedure that uses a strong magnetic field and radio waves to capture detailed images of the organs and tissues within the body;

(k) *Mammogram* – refers to an X-ray test to visualize normal and abnormal structures within the breasts;

(l) *Medical specialist* – refers to a doctor of medicine that practices and has expertise on a specific branch of medicine;

(m) *Neonatal intensive care unit (NICU)* – refers to a hospital unit containing a variety of mechanical devices and special equipment for the care and management of premature or preterm and seriously ill newborn babies. The unit is comprised of neonatologists, pediatric subspecialists, and nurses who are highly trained in the management of medical and surgical conditions of the newborn;

(n) *Regional government hospital* – refers to a hospital operated and maintained, either partially or wholly, by the national government or by any department, division, board or other agency thereof; and

(o) *Rehabilitation care facility system* – refers to a hospital facility that provides a specialized medical care and/or rehabilitation services to injured, sick or disabled patients, which includes speech therapy and physical rehabilitation.

SEC. 4. *Coverage.* – This Act shall apply to regional hospitals whose service capacities are as general hospitals with at least five hundred (500) beds, and which have been identified by the Department of Health (DOH) to have full potential to operate as apex hospitals based on the Philippine Health Facility Development Plan (PHFDP).

The DOH may establish new apex hospitals in strategic areas in the country in accordance with the PHFDP, and subject to the requirements of Sections 5 and 6 hereof.

SEC. 5. *Apex Hospital Modernization Program.* – Within five (5) years from the effectivity of this Act, all the DOH regional hospitals described in Section 4 shall be upgraded or established, to have minimum functional capacities of apex hospitals that are at par with international health care institutions that provide quality medical services. To achieve this goal, there shall be an Apex Hospital Modernization Program for the establishment, development, and enhancement of the physical facilities, equipment and instruments, and service delivery of all the apex hospitals, including the following:

a) *Physical Facilities, Equipment and Instruments.* - At the minimum, all apex hospitals shall operate and maintain the following physical facilities, complete with the necessary equipment and instruments including:

1. Ambulatory Surgical Clinic;
2. Anatomic and Clinical Laboratory;
3. Blood Station;
4. Dialysis Facility;
5. General Intensive Care Unit;

6. High Risk Pregnancy Unit;
7. Isolation Facilities;
8. Neonatal Intensive Care Unit;
9. Nuclear Medicine Facility;
10. Physical Medicine and Rehabilitation Facility;
11. Psychiatry Facility;
12. Radiologic Facilities such as X-Ray, CT Scan, Mammogram, MRI, ECG, Angiogram, Ultrasound and others;
13. Surgical Facility and Maternity Facility; and
14. Other necessary medical facilities as may be identified by the DOH.

All the facilities enumerated herein shall have competent and trained nurses, therapists, medical technicians and other ancillary and support staff.

b) Service Delivery. - All apex hospitals shall offer the services for all kinds of illnesses, diseases, injuries or deformities. It shall have certified and eligible medical specialists to facilitate timely, efficient, affordable, and accessible diagnosis and treatment for the following areas:

1. Clinical Services

- a. Family Medicine;
- b. Internal Medicine;
- c. Obstetrics and Gynecology;
- d. Pediatrics; and,
- e. Surgery.

2. Basic Emergency Care Services

3. At least one medical specialist on any of the following areas, to be determined by the DOH based on the burden of disease in the region:

- a. Cardiology;
- b. Neurology;
- c. Oncology;
- d. Pathology;
- e. Pulmonology;
- f. Psychiatry;
- g. Rehabilitation Medicine;
- h. Urology; and
- i. Other specialists as determined by the DOH.

c) Teaching and Training Hospital. Within three (3) years from the effectivity of this Act, all apex hospitals shall be expanded as teaching and training hospitals with accredited residency training programs for physicians in the four

(4) major specialties namely, Medicine, Pediatrics, Obstetrics and Gynecology, and Surgery.

The secretary of the DOH shall determine the additional positions required for the purpose in accordance with the revised compensation and position classification system subject to the evaluation and approval of the Department of Budget and Management and in compliance with the civil service laws, rules and regulations.

SEC. 6. Inventory and Audit of Hospitals. – An inventory and audit of the physical facilities, equipment and instruments, as well as the personnel of the regional hospitals, shall be conducted within one hundred eighty (180) days from the effectivity of this Act, to determine the present classification of the respective regional hospitals based on their functional capacity. The result of the inventory and audit shall be the basis of the modernization plan for each apex hospital. The establishment of apex hospitals shall be prioritized in areas where they are most needed.

The DOH shall conduct an annual inventory and audit of apex hospitals for their continuous development and to determine the need to establish new ones, in line with the Apex Hospital Modernization Program.

SEC. 7. Annual Report. – Two (2) years from the effectivity of this Act and every year thereafter, the DOH shall submit an annual report on the Apex Hospital Modernization Program to the Congress of the Philippines, through the Committee on Health of the House of Representatives and the Committee on Health and Demography of the Philippine Senate.

SEC. 8. Appropriations. – The initial amount for the implementation of this Act shall be charged against the current year's appropriation of the DOH. Thereafter, the funding of which shall be included in the annual General Appropriations Act.

SEC. 9. Implementing Rules and Regulations. – The Secretary of the DOH shall issue the necessary rules and regulations within ninety (90) days after the effectivity of this Act.

SEC. 10. Separability Clause. – If any provision of this Act shall be held unconstitutional or invalid, the remaining provisions which are not affected thereby shall continue to be in full force and effect.

SEC. 11. Repealing Clause. – All laws, decrees, executive orders, rules and regulations, and other issuances, or parts thereof, contrary to or inconsistent with this Act are hereby modified, amended or repealed accordingly.

SEC. 12. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,