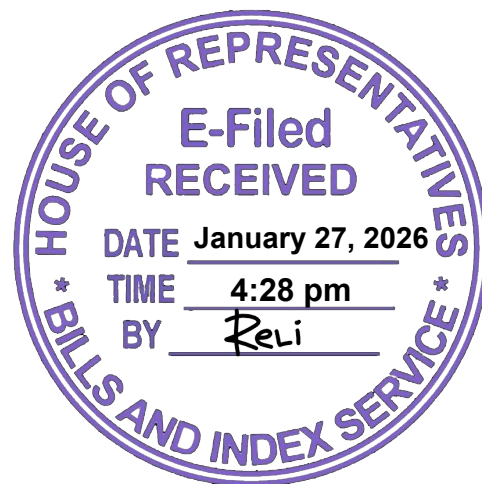


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **7442**



Introduced by **HON. JORGE DANIEL S. BOCOBO**

EXPLANATORY NOTE

Let each of you look not only to your own interests, but also to the interests of others.

- Philippians 2:4

Every year, countless Filipino families find themselves in the same painful situation: a loved one has been treated and is ready to go home, but the family cannot immediately settle the full hospital bill. Instead of being allowed to leave and continue recovery at home—or, in the case of a deceased patient, proceed with burial arrangements—they are told that discharge, or the release of vital documents, will not happen until payment is made or collateral is provided. In moments that are already marked by anxiety, grief, or financial strain, they are confronted with policies that effectively turn sickness into a form of captivity.

Republic Act No. 9439 was enacted precisely to correct this injustice. It sought to make clear that hospitals and medical clinics cannot detain patients, or refuse to release them, solely on the ground of unpaid bills once they have been medically attended to. The law was intended as a firm statement that access to freedom of movement and timely discharge should not be conditioned on a patient's economic status.

Experience, however, has shown that the protections under RA 9439 are not enough. Reports have persisted of patients who are physically prevented from leaving despite medical clearance, or who are subjected to pressure and intimidation in order to compel payment. In other cases, facilities choose a different method: instead of keeping the patient inside, they refuse to issue medical certificates, laboratory results, death certificates, or other records unless the bill is settled. Without these documents, families cannot file insurance claims, process benefits from PhilHealth, SSS, or GSIS, secure burial or funeral services, or comply with employment and administrative requirements. The end result is the same—families remain trapped by a hospital bill they are unable to pay in full.

Gaps in implementation also weigh heavily on indigent patients and low-income households. While social insurance and government programs provide mechanisms such as guarantee letters and case rate payments, these are not always readily accessible or recognized as sufficient. Patients are sometimes assigned in room classifications that later become a basis for additional charges and pressure. Those assigned to private rooms due to the lack of ward accommodations or based on medical need can be particularly vulnerable, as their room status is used to argue that they are not covered by protections intended for “indigent” or “charity” cases.

This bill seeks to amend Republic Act No. 9439 by explicitly prohibiting not only the physical detention of patients but also the withholding of documents necessary for discharge, interment, or benefit claims. It strengthens the rights of patients who have recovered, partially recovered, or are due for discharge, and ensures that deceased patients’ families receive required documents within a reasonable period. The measure likewise introduces higher penalties for violators, with stricter sanctions for government facilities and for violations committed pursuant to institutional policies.

By reinforcing accountability and closing long-standing loopholes, this proposed measure aims to guarantee that no Filipino is held hostage by hospital bills, and that compassion, fairness, and respect for human dignity remain at the core of our healthcare system.

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



JORGE DANIEL S. BOCOBO

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HOUSE BILL NO. **7442**

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AN ACT
STRENGTHENING THE RIGHTS OF PATIENTS AGAINST HOSPITAL DETENTION
ON THE GROUND OF NONPAYMENT OF HOSPITAL BILLS AND MEDICAL
EXPENSES AND PROVIDING STIFFER PENALTIES FOR VIOLATIONS
THEREFOR, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9439
OTHERWISE KNOWN AS “AN ACT PROHIBITING THE DETENTION OF
PATIENTS IN HOSPITALS AND MEDICAL CLINICS ON GROUNDS OF
NONPAYMENT OF HOSPITAL BILLS OR MEDICAL EXPENSES”

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

Section 1. Section 1 of Republic Act No. 9439 is hereby amended to read as follows:

“SECTION 1. It shall be unlawful for any hospital, [or] medical clinic, **OR ANY OTHER SIMILAR FACILITY** in the country to detain or to otherwise cause, directly or indirectly, the detention of patients who have fully or partially recovered or have been adequately attended to, **WHO IS DUE FOR DISCHARGE, or who may have died, INCLUDING WITHHOLDING DOCUMENTS PERTINENT TO THE EXAMINATION, DIAGNOSIS, MEDICATION, CARE AND HOSPITALIZATION OF THE PATIENT,** for reasons of nonpayment in part or in full, of hospital bills or medical expenses.”

Sec. 2. Section 2 of Republic Act No. 9439 is hereby amended to read as follows:

“SEC. 2. Patients who have fully or partially recovered and who already wish to leave the hospital, [or] medical clinic **OR ANY OTHER SIMILAR FACILITY** but are financially incapable to settle, in part or in full, their hospitalization expenses, including professional fees and medicines, shall be allowed to leave the hospital or medical clinic, with a right to demand the issuance of the corresponding medical certificate and other pertinent papers required for the release of the patient from the hospital or medical clinic upon the execution of a promissory note covering the

unpaid obligation. The promissory note shall be secured by either a mortgage or by a guarantee of a co-maker, who will be jointly and severally liable with the patient for the unpaid obligation. **IF THE PATIENT IS AN ACTIVE MEMBER OF EITHER THE SOCIAL SECURITY SYSTEM (SSS), GOVERNMENT SERVICE INSURANCE SYSTEM (GSIS), OR THE PHILIPPINE HEALTH INSURANCE CORPORATION (PHILHEALTH), A GUARANTEE LETTER FROM ANY OF THESE AGENCIES MAY BE PRESENTED WITH THE PROMISSORY NOTE IN LIEU OF A MORTGAGE OR GUARANTEE BY A CO-MAKER. IF THE PATIENT IS AN INDIGENT, A GUARANTEE LETTER FROM THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD) MAY BE SUBMITTED.** In the case of a deceased patient, the corresponding death certificate and other documents required for interment and other purposes shall be released **WITHIN FORTY-EIGHT (48) HOURS FROM THE DEMAND OF THE DOCUMENTS** to any of his surviving relatives requesting for the same: **PROVIDED, HOWEVER, THAT IN THE EVENT THE DOCUMENTS WILL BE NEEDED FOR PURPOSES OF CLAIMING SOCIAL SECURITY BENEFITS, INSURANCE POLICIES, PRE-NEED PLANS OR SETTLEMENT OF ESTATE, THE HOSPITAL MAY REQUIRE THE EXECUTION OF AN ASSIGNMENT OF PROCEEDS UP TO THE EXTENT OF THE HOSPITAL BILLS OR MEDICAL EXPENSES/HOSPITALIZATION EXPENSES:** *Provided, [however,]* **FINALLY,** That patients who stayed in private rooms shall not be covered by this Act, **UNLESS THE SAID PATIENT, NOTWITHSTANDING ONE'S EXPRESSED DESIRE TO BE ADMITTED TO A NON-PRIVATE ROOM, WAS ADMITTED TO A PRIVATE ROOM FOR THE FOLLOWING REASONS:**

“(A) NO NON-PRIVATE ROOM IN THE HOSPITAL, MEDICAL CLINIC OR ANY OTHER SIMILAR FACILITY WAS AVAILABLE AND THE PATIENT WAS COMPELLED TO BE ADMITTED THERETO DUE TO THE URGENCY OF THE CASE;

“(B) THE PHYSICIAN OR OTHER MEDICAL PROFESSIONALS OF THE HOSPITAL, MEDICAL CLINIC OR ANY OTHER SIMILAR FACILITY DEEMED IT TO BE IN THE BEST INTEREST OF THE PATIENT TO BE ADMITTED TO A PRIVATE ROOM FOR PURPOSES OF INTENSIVE CARE, ISOLATION, QUARANTINE, OR OTHER COMPELLING CIRCUMSTANCES.”

Sec. 3. Section 3 of Republic Act No. 9439 is hereby amended to read as follows:

“SEC. 3. Any officer or employee of the hospital, [or] medical clinic, **OR ANY OTHER SIMILAR FACILITY** responsible for releasing patients, who violates the provisions of this Act shall be

punished by a fine of not less than [Twenty thousand pesos (P20,000.00), but not more than Fifty thousand pesos (P50,000.00),] **FIFTY THOUSAND PESOS (P50,000.00) BUT NOT MORE THAN TWO HUNDRED THOUSAND PESOS (P200,000.00)** or imprisonment of not less than [one month, but not more than six months,] **SIX (6) MONTHS AND ONE (1) DAY TO THREE (3) YEARS**, or both such fine and imprisonment, at the discretion of the proper court:

PROVIDED, THAT THE MAXIMUM PENALTY SHALL BE IMPOSED TO EMPLOYEES AND OFFICERS OF GOVERNMENT HOSPITALS AND PUBLIC MEDICAL INSTITUTIONS: PROVIDED, HOWEVER, THAT IF SUCH VIOLATION WAS COMMITTED PURSUANT TO A CONTINUING POLICY OF THE HOSPITAL, MEDICAL CLINIC OR ANY OTHER SIMILAR FACILITY OR UPON THE INSTRUCTION OF ITS MANAGEMENT, THE DIRECTOR OR OFFICER/S OF SUCH HOSPITAL, CLINIC OR FACILITY RESPONSIBLE FOR THE FORMULATION AND IMPLEMENTATION OF SUCH POLICY SHALL SUFFER THE IMPRISONMENT OF NOT LESS THAN THREE (3) YEARS UP TO SIX (6) YEARS, OR A FINE OF NOT LESS THAN FIVE HUNDRED THOUSAND PESOS (P500,000.00) BUT NOT MORE THAN TWO MILLION PESOS (P2,000,000.00), OR BOTH AT THE DISCRETION OF THE COURT.

Sec. 4. Separability Clause. – If for any reason, any provision of this Act is declared unconstitutional or invalid, such parts not affected thereby shall remain in full force and effect.

Sec. 5. Repealing Clause. – All laws, decrees, executive orders, rules and regulations and other issuances or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

Sec. 6. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any two (2) newspapers of general circulation.

Approved,