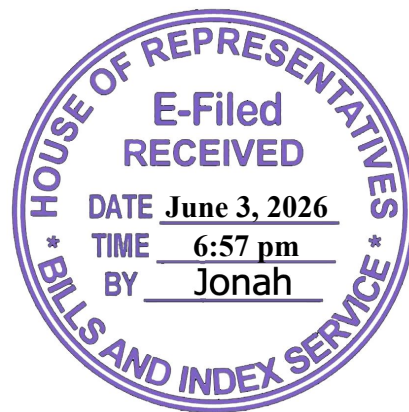


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Bill No. **9785**



Introduced by Representative JEFFREY SORIANO

EXPLANATORY NOTE

This bill seeks to fortify the enforcement of Batas Pambansa (BP) 702, otherwise known as the "*Anti-Hospital Deposit Law*". It imposes stronger penalties to hospitals, medical clinics, and officials who deny or fail to deliver the necessary initial medical treatment and support in emergency or serious cases due to the non-payment of deposits or advance payments.

The amendments priorly provided in BP 702 advocates for financially incapacitated individuals and families who are refused to be given urgent medical care and treatment. However, in spite of these additional holds, reports of requiring deposits persist resulting in non-accommodation of patients and families even in emergency situations.

Further amendments to this Act, as provided in this bill, seek to decisively deter hospitals and medical practitioners from refusing to provide immediate medical assistance to patients and their families by imposing stiffer penalties for violations. Moreover, repeated offenses may warrant the revocation of the health facility's license to operate, without prejudice to the imposition of other administrative, civil, or professional sanctions.

This bill is anchored on the firm conviction that the State must uphold and protect the people's constitutional right to accessible and adequate healthcare. No individual must be denied or deprived of urgent medical attention. Our healthcare institutions must not operate solely for financial gain; at the heart of every health facility lies the fundamental duty to serve the people and provide compassionate, humane, and proper medical care.

In view of the foregoing, the immediate approval of this measure is earnestly sought.

A handwritten signature in black ink, appearing to read "Jeffrey Soriano", written over a horizontal line.

HON. JEFFREY SORIANO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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TWENTIETH CONGRESS
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House Bill No. **9785**

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AN ACT

INCREASING THE PENALTIES FOR THE REFUSAL OF HOSPITALS AND MEDICAL CLINICS TO ADMINISTER APPROPRIATE INITIAL MEDICAL TREATMENT AND SUPPORT IN EMERGENCY OR SERIOUS CASES, AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 702, OTHERWISE KNOWN AS THE “ANTI-HOSPITAL DEPOSIT LAW”, AS AMENDED, AND FOR OTHER PURPOSES

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

Section 1. Section 4 of Batas Pambansa Bilang 702, as amended, is hereby further amended to read as follows:

“Sec. 4. Any official, medical practitioner or employee of the hospital or medical clinic who violates the provisions of this Act shall, upon conviction by final judgment, be punished by imprisonment of **FOUR (4) TO** [not less than] six (6) [months and one (1) day but not more than two (2) years and four (4) months] **YEARS**, or a fine of not less than [One] **FIVE** hundred thousand pesos (₱[1]500,000.00), but not more than [Three hundred thousand] **ONE MILLION** pesos (₱[3]1,000,000.00) or both, at the discretion of the court:

*“Provided, however, That if such violation was committed pursuant to an established policy of the hospital or clinic or upon instruction of its management, the director or officer of such hospital or clinic responsible for the formulation and implementation of such policy shall, upon conviction by final judgment, suffer imprisonment of [four (4) to] six (6) years **AND ONE (1) DAY TO TWELVE (12) YEARS**, or a fine of not less than [Five hundred thousand] **TWO MILLION** pesos (₱[5]2,000,000.00), but not more than [One] **FIVE** million pesos (₱[1]5,000,000.00) or both, at the discretion of the court, without prejudice to damages that may be awarded to the patient-complainant:*

“Provided, further, That upon three (3) repeated violations committed pursuant to an established policy of the hospital or clinic or upon the instruction of its management, the health facility’s license to operate shall be revoked by the DOH. THIS SHALL BE WITHOUT PREJUDICE TO ANY ADMINISTRATIVE CASE THAT MAY BE FILED AGAINST SAID HOSPITAL OR CLINIC OFFICIAL OR EMPLOYEE WITH THE CORRESPONDING PENALTY OF THE FOLLOWING, WITHOUT LIMITATION, SUCH AS SUSPENSION, CANCELLATION, OR REVOCATION OF PROFESSIONAL LICENSES SUCH AS THOSE ISSUED BY THE PROFESSIONAL REGULATION COMMISSION.

“The president, chairman, board of directors, or trustees, and other officers of the health facility shall be solidarily liable for damages that may be awarded by the court to the patient-complainant.”

SEC. 2. A new Section 9 shall be inserted after Section 8 of Batas Pambansa Bilang 702, as amended, to read as follows:

“SEC. 9. ANTI-HOSPITAL DEPOSIT LAW HOTLINE. - THE DEPARTMENT OF HEALTH, WITH THE ASSISTANCE OF THE NATIONAL TELECOMMUNICATIONS COMMISSION (NTC) AND DEPARTMENT OF INFORMATION AND COMMUNICATIONS TECHNOLOGY (DICT) SHALL ESTABLISH A NATIONAL HOTLINE AIMED AT PROVIDING TELEPHONE AND CELLPHONE NUMBERS WHICH THE PUBLIC MAY CALL FOR IMMEDIATE ASSISTANCE AND INTERVENTION REGARDING THEIR CONCERNS ON ANTI-HOSPITAL DEPOSIT. THE HOTLINE SHALL RUN TWENTY-FOUR (24) HOURS A DAY, SEVEN DAYS A WEEK, AND SHALL BE AVAILABLE TO ANSWER CALLS AND PROVIDE ASSISTANCE IN THE FASTEST POSSIBLE TIME.”

SEC. 3. *Separability Clause.* – If any portion or provision of this Act is declared invalid or unconstitutional, other provisions hereof shall remain in full force and effect.

SEC. 4. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 5. *Effectivity.* – This Act shall take effect fifteen days (15) after its publication in the Official Gazette or in a national newspaper of general circulation.

Approved,