

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

TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. **10136**



Introduced by Representative LEILA M. DE LIMA

AN ACT
PROVIDING FOR MEDICAL PAROLE TO QUALIFIED PERSONS DEPRIVED OF
LIBERTY (PDL) AND SETTING RULES ON THE GRANT THEREOF

EXPLANATORY NOTE

Article II, Section 11 of the 1987 Constitution provides that, “[t]he State values the dignity of every human person and guarantees full respect for human rights.” Although imprisonment serves the legitimate purpose of punishment, deterrence, and rehabilitation, it does not justify the unnecessary deprivation of basic rights and inhumane conditions for persons deprived of liberty (PDLs), especially those suffering from terminal illnesses or an incapacity that renders them incapable of managing their own affairs.

At present, the deplorable conditions within our prisons are undeniable. Approximately 70% of the Bureau of Jail Management and Penology (BJMP) jails are reportedly congested.¹ Congestion rate is at 500%, where 200,000 people are held in facilities that can only accommodate 41,000.² This leads to malnutrition and limited access to adequate and proper healthcare among PDLs. Such reality is evidenced by an increasing mortality rate among PDLs, 2.5 times higher than the general population.³ More people are unnecessarily dying within our prisons.

In light of these realities backed by statistics, this bill seeks to institutionalize granting parole based on medical humanitarian grounds.

¹ Consignado, D., Penales, R.- vhee K., Puhawan, N. L., Dason, C., Corcolon, K., & Quintana, M. L. (2026). Health Status of Persons Deprived of Liberty in a Jail Facility in the Philippines. *Journal of Interdisciplinary Perspectives*, 4(5), 60–69. <https://doi.org/10.69569/jip.2026.068>.

² Lacuesta J. V. E. (2026). Accessibility and Availability of Healthcare Services in Jail Facilities among Persons Deprived of Liberty (PDL) in Dumaguete City, Philippines. *Acta medica Philippina*, 60(5), 17–25. <https://doi.org/10.47895/amp.vi0.11884>.

³ Baron, G. (20 August 2025). Tuberculosis tops causes of death among PDLs — expert. *Daily Tribune*. Retrieved from <https://tribune.net.ph/2025/08/20/tuberculosis-tops-causes-of-death-among-pdls-expert>.

A medical parole refers to the conditional release of a prisoner from a correctional institution, provided they are suffering from a terminal illness or a permanent or irreversible incapacity. A medical parole not only allows for more humane treatment for medically suffering PDLs, but also rationalizes the correctional practice by allowing the conditional release of PDLs who are no longer capable of serving their sentences within the correctional facilities due to their medical conditions.

Under this bill, qualified PDLs shall serve out their sentences under the care of their families and shall be allowed to seek better medical care outside correctional facilities. Furthermore, the bill institutionalizes the mandate of the Board of Pardons and Parole (BPP) to grant medical parole to PDLs, providing for the standardized guidelines and requirements for its grant. Finally, the bill specifically requires that the grant of medical parole presupposes that the conditional release of a PDL shall not constitute a threat to public order and safety, and clearly provides for a mechanism for citizens and interested parties to oppose any application.

In the 20th Congress, similar bills were filed by Representatives Javier Benitez, Eric Yap, and Edvic Yap, and Senator Erwin Tulfo. This bill fully adopts this Representation's Senate Bill No. 1146 in the 18th Congress.

Early approval of this measure is earnestly sought.


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

1 SECTION. 1. *Short Title.* – This Act shall be known as the “Medical Parole Act
2 of 2026.”

3
4 SEC. 2. *Grant of Medical Parole.* – The Board of Pardons and Parole (BPP)
5 may, upon its own initiative or upon application as provided in this Act, grant medical
6 parole to a Person Deprived of Liberty (PDL) who suffers from the following conditions:

- 7
8 a. Terminal illness, which is defined as having a prognosis of having a life
9 expectancy of one (1) year or less, due to an incurable illness, disease,
10 or condition; or
11 b. Permanently and irreversibly incapacitated by a physical or medical
12 condition that is not terminal, but which prevents the PDL from having
13 sufficient understanding or capacity to competently manage his or her
14 own affairs.

15
16 SEC. 3. *Medical Parole Application.* – PDLs or their authorized representatives
17 under Section 4 of this Act may apply with the BPP for a medical parole. Their
18 application must include a certification under oath by a licensed government physician
19 containing the following:

- 20
21 a) That the licensed government physician conducted due examination of
22 the PDL;

- 23 b) That based on said examination, there is a determination that the PDL
24 suffers from a terminal illness, which is defined under this Act as having
25 a prognosis of having a life expectancy of one (1) year or less due to an
26 incurable illness, disease, or condition; or is permanently and irreversibly
27 incapacitated by a physical or medical condition that is not terminal, but
28 which prevent the PDL from having sufficient understanding or capacity
29 to competently manage his or her own affairs;
30 c) A detailed description of the physical condition, disease, or syndrome
31 suffered by the PDL and/or the PDL's incapacity; and
32 d) A prognosis addressing the likelihood of the prisoner's recovery from the
33 condition, disease, or syndrome and the extent of any potential recovery.

34
35 Consideration for medical parole shall be in addition to any other parole for
36 which a PDL may be eligible.

37
38 SEC. 4. *Authorized Representatives.* – An application for medical parole may
39 be submitted by the PDL, or on their behalf by a parent, grandparent, child, or sibling.
40 The application must be in writing and addressed to the Chairman or Executive
41 Director of the BPP.

42
43 SEC. 5. *Opposition to the Grant of Medical Parole.* – The BPP shall regularly
44 publish, online and in conspicuous places within the city or municipality where the PDL
45 is serving sentence, any pending proceedings for the grant of medical parole. Any
46 person may object, through the filing of a verified opposition, to the grant of medical
47 parole on the following grounds:

- 48
49 a) The condition, disease, syndrome, or incapacity does not exist, or its
50 severity does not qualify the PDL for medical parole;
51 b) The PDL's release will constitute a threat to public safety; or
52 c) The PDL is likely to commit an offense while on medical parole.

53
54 The person who filed an opposition under the first ground shall pay for the cost
55 of a second medical examination and accompanying diagnostic tests. The second
56 medical examination shall be conducted by a different licensed government physician
57 than the one who issued the original medical certification.

58
59 SEC. 6. *Period to Resolve Application.* – The BPP shall resolve the application
60 in a summary proceeding within one (1) month from application by the PDL: *Provided,*
61 That, this period may be extended to two (2) months if there are oppositions.

62
63 SEC. 7. *Eligibility.* – A PDL is eligible for medical parole if both the following
64 apply:

- 65 a) The BPP determines, based on the PDL's medical condition and the
66 written diagnosis, that the PDL does not constitute a threat to public
67 safety and is not likely to commit an offense while on medical parole; and
68 b) The BPP prepares a medical parole plan that ensures appropriate
69 supervision and placement of the PDL.
70

71 SEC. 8. *Conversion to Non-Medical Parole.* – If the PDL who was granted
72 medical parole recovers from the condition, disease, syndrome, or incapacity, the BPP
73 may convert the medical parole to non-medical parole. BPP may impose any
74 additional terms to ensure that the interests of society will be protected.
75

76 SEC. 9. *Periodic Examinations.* – The BPP may require as a condition of
77 medical parole that the PDL agrees to periodic examinations and diagnoses at the
78 PDL's expense. The examining physician shall submit reports of each examination
79 and diagnosis to the BPP.
80

81 SEC. 10. *Release Credit Limit.* – The BPP shall not grant medical parole sooner
82 than one (1) year before the PDL's parole or earned release credit date unless, based
83 on medical information furnished to it, the BPP determines that the physical condition
84 of the PDL is so serious that the PDL would not be reasonably expected to live for
85 more than one (1) year.
86

87 SEC. 11. *Additional Requirement.* – Notwithstanding any other law, a PDL who
88 has served ten (10) consecutive years or more in prison shall not be paroled until the
89 BPP first receives a report as to the PDL's mental condition and ability to adjust to life
90 outside the prison from a licensed psychiatrist or psychologist of the National Center
91 for Mental Health (NCMH).
92

93 SEC. 12. *Non-Disqualification.* – A grant or denial of medical parole does not
94 affect a PDL's eligibility for non-medical parole.
95

96 SEC. 13. *Implementing Rules and Regulations.* – The BPP, in consultation with
97 relevant governmental entities and non-profit organizations, shall promulgate rules
98 and regulations to implement the provisions of this Act within ninety (90) days from its
99 effectivity.
100

101 SEC. 14. *Mandatory Evaluation and Reporting.* – Every three (3) years, from
102 its effectivity, the BPP shall conduct a comprehensive review of the implementation of
103 this Act. A report of its findings and recommendations shall be submitted, within thirty
104 (30) days from the completion of the review, to the House Committee on Justice and
105 the Senate Committee on Justice and Human Rights.
106

107 SEC. 15. *Separability Clause*. – If any section or provision of this Act is declared
108 invalid or unconstitutional, the sections or provisions not affected thereby shall
109 continue to be in full force and effect.

110
111 SEC. 16. *Repealing Clause*. – All laws, presidential decrees, executive and
112 administrative orders, letters of instruction, rules and regulations, or parts thereof
113 inconsistent with the provisions of this Act are hereby repealed, modified, or amended
114 accordingly.

115
116 SEC. 17. *Effectivity*. – This Act shall take effect fifteen (15) days following its
117 publication in the Official Gazette or in two (2) newspapers of general circulation in the
118 Philippines.

Approved,