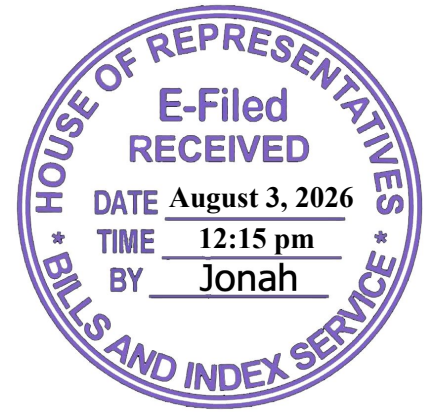


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
20TH CONGRESS
Second Regular Session

House Bill No. 10490



Introduced by: **REP. JOEL R. CHUA**

EXPLANATORY NOTE

At present, increases in the bed capacity and service capability of Department of Health (DOH) hospitals generally require the enactment of a separate law by Congress. While legislative oversight remains important, this process can delay much-needed improvements in government hospitals despite clear and urgent healthcare needs.

The Department of Health is in the best position to determine when hospitals need additional beds or upgraded services based on population growth, disease patterns, hospital occupancy, and other public health considerations. Empowering the DOH to make these administrative determinations will enable government hospitals to respond more quickly and efficiently to the healthcare needs of the Filipino people.

This measure authorizes the DOH to determine and approve the bed capacity and service capability of all DOH hospitals, subject to appropriate standards and existing budgetary laws. By streamlining the process while preserving Congress' power over appropriations, the bill promotes a more responsive and effective public healthcare system.

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

JOEL R. CHUA
Representative, 3rd District, Manila

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Introduced by: **REP. JOEL R. CHUA**

AN ACT AUTHORIZING THE DEPARTMENT OF HEALTH TO DETERMINE, SET, AND APPROVE THE BED CAPACITY AND SERVICE CAPABILITY OF ALL DEPARTMENT OF HEALTH HOSPITALS, ELIMINATING THE REQUIREMENT OF A SEPARATE LAW FOR FUTURE ADJUSTMENTS, AND FOR OTHER PURPOSES

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 "DOH Hospital Capacity Rationalization Act."

Section 2. Declaration of Policy. – It is the policy of the State to protect and promote the right to health of the people by ensuring that government hospitals are adequately equipped and capable of responding to the evolving healthcare needs of the population. Towards this end, the State shall strengthen the capacity of Department of Health (DOH) hospitals through an efficient, responsive, and evidence-based mechanism for determining and approving their authorized bed capacity and service capability.

Section 3. Definition of Terms. – For purposes of this Act:

(a) **Bed Capacity** refers to the authorized number of hospital beds approved for operation by a DOH hospital.

(b) **Service Capability** refers to the classification of a hospital based on the range of clinical, diagnostic, therapeutic, emergency, specialty, and ancillary services it is authorized to provide.

(c) **DOH Hospital** refers to any hospital owned, operated, or directly supervised by the Department of Health.

Section 4. Authority of the Department of Health. — Notwithstanding any provision of law to the contrary, the Department of Health shall have the authority to determine, set, increase, decrease, or otherwise modify the authorized bed capacity and service capability of all DOH hospitals through the issuance of an administrative order, subject to the standards and requirements provided under this Act.

Any future adjustment in the authorized bed capacity or service capability of a DOH hospital shall no longer require legislative enactment and may be approved by the Department of Health in accordance with this Act and its implementing rules and regulations.

Such authority shall include the approval of:

- (a) Increase or decrease in authorized bed capacity;
- (b) Upgrading or downgrading of service capability;
- (c) Conversion or expansion of hospital services necessary to meet public health demands; and
- (d) Other operational adjustments necessary to improve healthcare delivery.

Section 5. Basis for Approval. – In determining the appropriate bed capacity and service capability of a DOH hospital, the Department shall consider, among others:

- (a) Population served and projected population growth;
- (b) Hospital occupancy rate and patient utilization;
- (c) Disease burden and epidemiological trends;
- (d) Geographic accessibility and referral network;
- (e) Availability of healthcare professionals;
- (f) Existing infrastructure and equipment;
- (g) Financial sustainability and operational efficiency; and
- (h) National and regional health priorities.

Section 6. Periodic Review. – The Department of Health shall conduct a comprehensive review of the bed capacity and service capability of every DOH hospital at least once every five (5) years, or earlier when public health emergencies, disasters, significant demographic changes, or other compelling circumstances warrant.

Section 7. Effect of Approval. – Any adjustment in the authorized bed capacity or service capability approved by the Department of Health pursuant to this Act shall take effect upon the issuance of the corresponding administrative order and shall not require the enactment of a separate law.

The Department shall ensure that any approved increase is accompanied by the gradual provision of the necessary personnel, equipment, infrastructure, and operational support, subject to existing budgeting, procurement, civil service laws, rules and regulations, and the availability of appropriations.

Section 8. Budgetary Requirements. – The Department of Health shall incorporate the funding requirements necessary to implement approved adjustments in bed capacity and service capability into its annual budget proposal.

Nothing in this Act shall be construed to automatically appropriate funds for any approved increase. The implementation of such adjustments shall remain subject to the availability of appropriations as provided in the General Appropriations Act and other applicable laws.

Section 9. Coordination with Other Agencies. – The Department of Health shall coordinate with the Department of Budget and Management, the Civil Service Commission, the Department of Public Works and Highways, and other concerned agencies, whenever necessary, to facilitate the implementation of approved increases in hospital capacity and service capability.

Section 10. Transparency and Reporting. – The Department of Health shall maintain and publish an updated registry of all DOH hospitals indicating their authorized bed capacity, service capability, occupancy rates, and any approved modifications.

The Department shall likewise submit an annual report to Congress detailing all adjustments made pursuant to this Act and the corresponding status of implementation.

Section 11. Implementing Rules and Regulations. - Within ninety (90) days from the effectivity of this Act, the Department of Health shall promulgate the necessary rules and regulations for its effective implementation.

Section 12. Separability Clause. - If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

Section 13. Repealing Clause. - All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

Section 14. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.