

FIFTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

OFFICE OF THE CLERK

10 115 25 P 143

SENATE

S. No. 2458

RECEIVED BY 

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

The provisions in our Constitution provides that the State shall endeavor to make essential good health and other social services available for all people. To give meaning to this mandate, all local government units and government hospitals maintain the availability of ambulances in their health service delivery outlets.

Various reports, however, show that medical ambulances are not being made available at the time when they are most needed. One of the reasons cited is the flagrant abuse of some local government officials who treat these government ambulances as their personal vehicles. As such, the use of ambulances for non-medical and non-emergency purposes has become a prevalent practice in many our municipalities and cities. This practice is detestable since it hinders the delivery of a fast and effective medical care to the people, especially in emergency cases where the life of a patient is at stake.

This proposed measure seeks to regulate, if not totally stop hospitals and other medical authorities as well as local officials, from using government ambulances outside its legitimate medical purpose, which is to service health emergency cases. Under this measure, any government ambulance assigned or donated to local government units shall be under the joint custody of the local chief executive and the health officer concerned. Each shall be jointly liable for any violation of the provisions of this Act committed by the other.

It shall be the duty of any local chief executive having temporary custody of any government ambulance to deliver or cause the delivery of the same to the intended beneficiary without unnecessary delay. It shall also be the duty of local chief executives assigned with any government ambulance to appoint at least one (1) regular driver for each ambulance and ensure that a sufficient amount for gasoline and the maintenance of their ambulance is appropriated every year.

Furthermore, it shall be unlawful for any public official or employee to use any government ambulance as office service vehicle, for recreation or for personal use or for any other purpose whatsoever inconsistent with the purposes of a government ambulance. Additionally, it shall be unlawful for any public official or employee to use any government ambulance in the transportation of patients not in emergency situation unless another ambulance is available to respond to any emergency; or when no other means of transportation is available which non-availability is jointly certified under oath by the patient or any of his/her relatives or guardians and the responsible officer-in-charge of the ambulance other than the driver; or when the nature of the patient's sickness or injury, though not life threatening, makes necessary his/her transportation by ambulance.

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


MANUEL "LITO" M. LAPID
Senator 

10 JUN 25 P. 48

SENATE

S. No. 2458

RECEIVED BY 

Introduced by Senator Manuel "Lito" M. Lapid

**AN ACT
REGULATING THE USE OF GOVERNMENT AMBULANCES, PROVIDING
PENALTIES THEREFOR AND FOR OTHER PURPOSES**

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

SECTION 1. *Definition of Terms.* – As used in this Act, the following terms shall mean:

(a) "Government ambulance" refers to a vehicle equipped with emergency life-saving devices and equipment and properly designated as such, used to carry or transport seriously sick or injured persons or patients in emergency situations requiring immediate medical treatment to a medical facility or from one medical facility to another; or for diagnostic, therapeutic or rehabilitative treatment where, by the nature of the patient's sickness or injury, conveyance by ambulance is necessary. They are acquired using government funds or donated for government use, regardless of source.

(b) "Emergency" refers to a condition or state of patient wherein, based on the objective findings of a prudent medical officer on duty for the day, there is immediate danger on the life of the patient where delay in initial support and treatment may cause loss of life or permanent disability to the patient.

SEC. 2. *Joint Custody of Government Ambulances Assigned or Donated to Local Government Units.* – Any government ambulance assigned or donated to local government units shall be under the joint custody of the local chief executive and the health officer concerned. Each shall be jointly liable for any violation of the provisions of this Act committed by the other.

Upon the end of the local chief executive's term of office or in case he is disqualified or removed from office for whatever cause, he/she shall turn over the custody of the ambulance to the proper authority within fifteen (15) days from his last day in office. In the same manner, in case the health officer of the local government unit retires, is separated or disqualified from office, he shall turn over the said custody to the proper authority within fifteen (15) days from his last day in office.

SEC. 3. *Duties of Local Chief Executive.* – (a) It shall be the duty of any local chief executive having temporary custody of any government ambulance, donated or otherwise, to deliver or cause the delivery of the same to the intended beneficiary without unnecessary delay.

(b) It shall also be the duty of local chief executives assigned with any government ambulance to appoint at least one (1) regular driver for each ambulance and ensure that a sufficient amount for gasoline and the maintenance of their ambulance is appropriated every year.

SEC. 4. *Prohibited Acts.* – The following acts are hereby prohibited:

(a) It shall be unlawful for any public official or employee to use any government ambulance as office service vehicle, for recreation or for personal use or for any other purpose whatsoever inconsistent with the purposes of a government ambulance as defined in Section 1 of this Act;

(b) It shall be unlawful for any public official or employee to use any government ambulance in the transportation of patients not in emergency situation unless another ambulance is available to respond to any emergency; or when no other means of transportation is available which non-availability is jointly certified under oath by the patient or any of his/her relatives or guardians and the responsible officer-in-charge of the ambulance other than the driver; or when the nature of the patient's sickness or injury, though not life threatening, makes necessary his/her transportation by ambulance;

(c) It shall be unlawful for any public officer or employee to allow the use of any government ambulance by individuals or entities for private use, for a fee or not;

(d) It shall be unlawful for any public officer or employee to refuse the use of any government ambulance by any patient entitled to the use of the same as provided

in this Act due to the patient's inability to pay any fee collected for its use; or discriminate in its use on account of religious beliefs, gender, economic status, political affiliations or whatever cause contrary to law, public policy or good customs;

(e) It shall be unlawful for any public officer or employee to paint over or allow the painting over of any government ambulance to circumvent the provisions of this Act; and

(f) It shall be unlawful to use deceptive measures such as sirens or printing the word "ambulance" on the vehicle's body of any privately-owned or government-owned vehicle to make it appear as an ambulance.

SEC. 5. *Exceptions to the Prohibited Acts.* – The provisions of Section 4 notwithstanding, the following use of any government ambulance in non-emergency cases may be allowed:

- (a) Medical outreach missions; and
- (b) Other related hospital operations.

SEC. 6. *Penalty Clause.* – Violations of Section 2, paragraph 2 hereof shall be punished by perpetual disqualification from public service with forfeiture of retirement benefits.

Violations for Section 3 and any of the prohibited acts enumerated in Section 4 hereof shall be penalized by suspension from office without pay for thirty (30) days for the first offense; six (6) months without pay for the second offense; and termination from service with forfeiture of retirement benefits and perpetual disqualification from public service for the third offense.

If any violation of any of the prohibited acts be committed with the knowledge or participation of the local chief executive and/or the responsible health officer in case of local government units or the head of hospital in case of government hospitals, the said officials shall also be penalized with the same penalty provided in this Act for the infraction.

SEC. 7. *Implementing Rules and Regulations.* – The Secretary of the Interior and Local Government, in consultation with the secretaries of Health and Transportation and Communications and concerned sectors, shall issue such

guidelines, orders or rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 8. *Separability Clause.* – If any provision of this Act or the application of such provision to any person or circumstance is declared unconstitutional, the remainder of this Act or the application of such provision to other persons or circumstances shall not be affected by such declaration.

SEC. 9. *Repealing Clause.* – All laws, orders, decrees, proclamations, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 10. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days following the completion of its publication in the *Official Gazette* or in a newspaper of general circulation in the Philippines.

Approved,