

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

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AUG 31 2001

SENATE

Senate Bill No. 2468

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE


It is pathetic to note that many of our sick but indigent countrymen who are medically attended to in public hospitals and diagnosed as suffering from certain ailment and prescribed the needed medicines, are nonetheless helpless in having their illness cured because of lack of means to buy medicines as prescribed.

Again, poverty is depriving many indigent patients of the rare opportunity of medical advancement and recent discoveries on cure of diseases because the medicines are hardly affordable and far from the indigent patient's reach.

Medical attention without the concomitant medicines being administered to the patient is meaningless.

The most appropriate and quick source of funding for free medicines to indigent patients is the Internal Revenue Allotments (IRA) of local government units.

It is the purpose of the bill to set aside a certain percentage of the IRA budget for acquisition of medicines for free distribution to indigent patients in their respective localities.



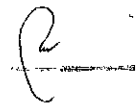
JINGGOY EJERCITO ESTRADA
Senator

10 AUG 31 2001

SENATE

Senate Bill No. 2468

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AN ACT

REQUIRING ALL GOVERNMENT UNITS TO EARMARK A PORTION OF THEIR INTERNAL REVENUE ALLOTMENTS FOR FREE MEDICINES TO INDIGENT PATIENTS IN THEIR LOCALITIES, AND FOR OTHER PURPOSES

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

SECTION 1. *Local Government to Earmark a Portion of IRA for Free Medicines.*

– It shall be the obligation of all local governments to set aside and earmark a portion of their Internal Revenue Allotments (IRA) for appropriation for free medicines to be distributed to the public hospitals, clinics, dispensaries or other outlets to indigent patients for free in their localities.

SEC 2. *Indigent Patients, Defined; How Dispensed.* – Indigent patients are those who have no visible means of income or whose income is insufficient for the subsistence of his or her family as identified by the local social welfare department; *Provided*, That the local government shall maintain a list confirmed by the barangay officials concerned where the indigent patient resides and to issue an identifying document to insure that the free medicines are properly dispensed to deserving recipients; *Provided, further*, That said hospitals, clinics or dispensaries shall, as far as practicable, establish their own pharmacy or outlets within their premises and maintain sufficient stock or quantity of the most common prescribed medicines in order to immediately provide the free medicines to the indigent patients.

SEC 3. *Regular Accounting.* – All pharmacies or outlets distributing or dispensing free medicines shall render periodic accounting of such disbursement duly posted in at least three (3) public bulletin boards specifying the patient's name, address, doctor prescribing the medicine and the amount or cost of the medicine.

SEC 4. *Acts Constituting Violations of this Act; Penalty.* – In addition to the criminal liability incurred by persons for violating pertinent provisions of the Revised Penal Code or other special laws, the following acts shall constitute a crime under this Act:

- (a) Preparing a list or certification that a patient is indigent when he is not;
- (b) Submitting, preparing or altering any document to make it appear that any legitimate acquisition, purchase, disbursement or distribution had been made for free medicines when in fact there is none;
- (c) Diverting, concealing or using for other use or purpose, the funds for free medicines;
- (d) Dispensing or distributing the free medicines under this Act other than to indigent patients;
- (e) Selling or disposing of the free medicines;
- (f) Marking up or padding the purchase cost of medicines acquired under this Act; and,
- (g) Knowingly purchasing expired medicines or those expiring within one (1) year from date of purchase.

Those found guilty of committing any of the acts above defined shall be sentenced to an imprisonment of not less than two (2) years nor more than seven (7) years.

SEC 5. Separability Clause. – If any of the sections or provisions of this Act is held invalid, all other provisions not affected thereby shall remain valid.

SEC 6. Effectivity Clause. – This Act shall take effect within fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,