

FIFTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session




Senate
Office of the Secretary

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SENATE

P. S. Res. No. 475

RECEIVED BY: 

Introduced by Senator Manuel "Lito" M. Lapid

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON HEALTH AND DEMOGRAPHY TO CONDUCT AN INQUIRY, *IN AID OF LEGISLATION*, INTO THE IMPLEMENTATION OF REPUBLIC ACT NO. 9439, OTHERWISE KNOWN AS THE "PATIENTS' ILLEGAL DETENTION ACT", WITH THE END IN VIEW OF INTRODUCING AMENDMENTS IN ORDER TO EFFECTIVELY PROTECT THE HEALTH AND WELL-BEING OF THE GENERAL PUBLIC

WHEREAS, it is the primary duty of the State to protect the health of the people and instill health consciousness among them;

WHEREAS, Republic Act No. 9439, otherwise known as the "Patients' Illegal Detention Act" was enacted into law for the purpose of safeguarding the people's health and well-being. Said law prohibits hospitals from prolonging the detention of patients on grounds of non-payment of their hospital or medical expenses;

WHEREAS, Republic Act No. 9439 provides that patients who are either fully or partially recovered but are incapable of settling in part or in full their hospitalization expenses, including professional fees and medicines, shall be allowed to leave the hospital premises provided that they have signed promissory notes. These promissory notes, proof of the patient's commitment to settle unpaid obligations, must be supported by mortgage or guarantee of a co-maker who will share the financial obligations of the patient;

WHEREAS, Republic Act No. 9439 was enacted into law to put an end to some hospitals' spiteful habit of detaining patients until they can afford to settle their financial obligations. This practice buried many indigent patients deeper in debt because some hospitals continued to charge them for their extended confinement. Naturally expenses skyrocketed higher than what patients have actually incurred during their treatment;

WHEREAS, various newspaper reports indicate that several patients, including new-born infants with their mothers, are being detained for days in several hospitals in the country in cramped and dilapidated rooms provided by the hospital because they cannot pay their hospital bills;

WHEREAS, according to the Commission on Human Rights (CHR), the detention of patients for their inability to pay for hospital bills is a violation of the International Covenant on Civil and Political Rights to which the Philippines is a signatory;

WHEREAS, despite the existence of these legally binding human rights instruments, there appears to be rampant violation of the provisions of R.A. 9439.

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, to direct the Senate Committee on Health and Demography to conduct an inquiry, *In Aid of Legislation*, into the implementation of Republic Act No. 9439, otherwise known as the "Patients' Illegal Detention Act", with the end in view of introducing amendments in order to effectively protect the health and well-being of the general public.

Adopted,


MANUEL "LITO" M. LAPID
Senator