

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

'04 JUN 30 P4:20

S E N A T E

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S. No. 338

Introduced by Senator S. R. Osmeña III

EXPLANATORY NOTE

Every citizen has a right to a proper and timely medical care. The constitutional mandate is 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 shall equip and maintain the availability of ambulances at all times.

However, there have been reports about ambulances becoming scarce at the time when they are most needed. One of the reasons cited is the flagrant abuse of local officials who use government ambulances as a personal vehicle to service them to and from their destinations. Consequently, these power-wielding exercises sometimes cost another person's life, another filipino's life.

This measure is hereby proposed to regulate, if not totally stop, hospitals and other medical authorities as well as local officials, from using government ambulances outside its purpose, which is to service seriously ill patients.

In view of the foregoing, approval of this bill is earnestly requested.

S. Osmeña III
SERGIO OSMEÑA III
Senator

THIRTEENTH CONGRESS OF THE PHILIPPINES)
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SENATE
S. No. 338

Introduced by Senator S. R. Osmeña III

**AN ACT
REGULATING THE USE OF GOVERNMENT AMBULANCES, PROVIDING
PENALTIES FOR VIOLATIONS THEREOF, AND APPROPRIATING FUNDS
THEREFORE.**

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

1 SECTION 1. It is hereby prohibited for all government officials and
2 employees, particularly those of the Department of Health (DOH), and the local
3 government units owning or operating government ambulances, to secure,
4 appropriate or use such vehicles for any purpose other than the transport of
5 patients.

6 SEC. 2. The government ambulance shall be under the joint custody of
7 the local chief executive and the health officers concerned, and shall be
8 assigned, at least one (1) driver thereafter. Upon the end of the local chief
9 executives' term or in case he is disqualified as an officer, he shall turn over the
10 custody thereof to his successor at least two (2) weeks before his last day of
11 office. In like manner, in case the health officer concerned is disqualified or is
12 separated from the service, he shall turn over the custody thereof to his
13 successor at least two (2) weeks before his last day of office.

14 SEC. 3. Any elective government official or any government employee
15 found guilty after due notice and hearing of violating the provisions of this Act, or
16 its implementing rules and regulations duly promulgated by the Secretary of
17 Health, shall be punished with a fine of not less than the equivalent of six (6)

1 months salary for the first offense and dismissal from the service and
2 disqualification from holding any public office on the second offense.

3 Any appointive government official found guilty after due notice and
4 hearing of violating Sections 1 and 2 of this Act shall be punished with dismissal
5 from the service, deprivation of all benefits, disqualification from holding any
6 public office and a fine of not less than the equivalent of eight (8) months salary.

7 SEC. 4. An elective official having temporary custody of a donated
8 ambulance who delays for more than two (2) weeks, without reasonable cause,
9 the delivery or turn-over of said ambulance to the intended beneficiary shall, after
10 conviction by the court acquiring original jurisdiction, be disqualified to run for
11 public office in the succeeding elections. If he is an appointive official, the
12 sanctions provided in the last paragraph of the preceding section shall be
13 imposed.

14 SEC. 5. In case such government ambulance is used in the commission
15 of a crime, the person or persons responsible therefore shall, in addition to the
16 penalties prescribed in Section 4 hereof, be subject to prosecution under the
17 particular provision of the Revised Penal Code, or of the special law applicable to
18 the offense committed.

19 SEC. 6. The Secretary of Health shall formulate and promulgate the
20 necessary rules and regulations and/or guidelines for the effective
21 implementation of this Act.

22 SEC. 7. The amount necessary for the implementation of this Act shall
23 be charged to the budget of the local government units concerned.

24 SEC. 8. Any provision of law, presidential decree, executive order,
25 circular, instructions or rules and regulations inconsistent with the provision of
26 this Act is hereby repealed or modified accordingly.

27 SEC. 9. This Act shall take effect thirty (30) days following the completion
28 of its publication in the Official Gazette or in two (2) national newspapers of
29 general circulation.

30 Approved,