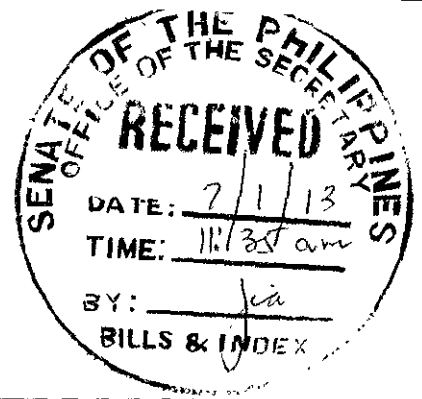


SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )

SENATE  
S.B. No. 24




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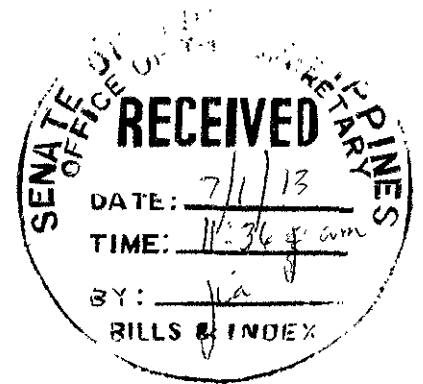
Introduced by Senator Maria Lourdes Nancy S. Binay

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EXPLANATORY NOTE

This bill seeks to provide free medical and dental assistance to indigent children in consonance with the State's recognition of the need to promote the physical well-being of children, including promoting their right to health, and making health services adequate to all. In order to achieve this end, all government and private hospitals, medical centers, clinics, infirmaries and puericulture centers are required to render medical and dental services to indigent children and at the same time provide tax incentives to these covered institutions.

  
MARIA LOURDES NANCY S. BINAY  
Senator



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Introduced by Senator Maria Lourdes Nancy S. Binay

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1 AN ACT REQUIRING ALL GOVERNMENT AND PRIVATE HOSPITALS, MEDICAL  
2 CENTERS, CLINICS, INFIRMARIES AND PUERICULTURE CENTERS TO GIVE  
3 FREE MEDICAL AND DENTAL ASSISTANCE TO INDIGENT CHILDREN  
4

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

7 **SECTION 1.** *Title.* – This Act shall be known as “*The Indigent Children Free Medical and*  
8 *Dental Service Act.*”  
9

10 **SECTION 2.** *Declaration of Policy.* – In consonance with the State’s recognition of the need  
11 to promote the physical well-being of children, including promoting their right to health, and  
12 making health services adequate to all, it is hereby declared the policy of the State to provide  
13 for all possible assistance it could provide to children especially those who are unfortunate to  
14 have no means of support or have no one to support them.  
15

16 **SECTION 3.** *Indigent Children.* – For purposes of this Act, an *indigent child* shall refer to an  
17 unemancipated child below eighteen (18) years of age who have no visible means of support  
18 or whose parents or guardians have no means of providing for their immediate medical and  
19 dental needs.  
20

21 **SECTION 4.** *Duty of the DSWD and DOH.* – The Department of Social Welfare and  
22 Development (“DSWD”) and the Department of Health (“DOH”) shall be tasked with the  
23 primary responsibility of implementing the provisions of this Act. For this purpose, the  
24 DSWD shall promulgate the necessary guidelines in order to determine if a child in need of  
25 medical and/or dental service may be considered indigent, taking into account the following  
26 factors:  
27

- 28 1. Age of the child;
- 29 2. Financial condition of the family;
- 30 3. Degree of deprivation of parental care and support; and
- 31 4. Inability of his parents to exercise parental authority.  
32

33 The DOH, on the other hand, shall coordinate and establish the necessary mechanisms and  
34 regulations to govern both government and private hospitals, medical centers, clinics,  
35 infirmaries and puericulture centers in the implementation of this Act.  
36

1 The DSWD and DOH shall have the authority to promulgate the necessary rules and  
2 regulations for the purpose of carrying into effect the provisions of this Act.

3  
4 **SECTION 5. *Free Medical and Dental Services.*** – All government and private hospitals,  
5 medical centers, clinics, infirmaries and puericulture centers duly licensed to operate as such,  
6 are hereby required to render medical and dental services to indigent children, regardless of  
7 whether or not they are in danger of dying and/or may have suffered physical injuries  
8 requiring immediate medical attention.

9  
10 **SECTION 6. *Incentives for Private Hospital, Medical Center, Clinic, Infirmary and/or***  
11 ***Puericulture Centers.*** – The expenses and losses of earnings incurred by a private hospital,  
12 medical center, clinic, infirmary or puericulture center, or by an individual physician or  
13 dentist, for medicine, facilities and services extended to the care and treatment of an indigent  
14 child as required herein, in the amount not exceeding Five Hundred Thousand Pesos  
15 (P500,000.00) per year, shall be considered deductible expenses and losses for income tax  
16 purposes, which may be carried over for a period of five (5) years.

17  
18 To ensure compliance with the provisions of this Act, all indigent children treated by private  
19 hospitals, medical centers, clinics, infirmaries or puericulture centers shall secure a  
20 certification from the social worker assigned to the hospital, medical center, clinic, infirmary  
21 or puericulture center. The Certification shall contain the following information:

- 22  
23 1. Name of patient;  
24 2. That the patient is indigent and supporting proof thereof;  
25 3. Service/s rendered to the patient;  
26 4. Cost of such service/s based on the existing price list of the hospital, medical  
27 center, clinic, infirmary or puericulture center at the time of treatment; and  
28 5. Attestation from the social worker that all information contained therein are true  
29 and correct to his/her knowledge.

30  
31 **SECTION 7. *Penal Clause.*** – Any hospital director, administrator, officer-in-charge,  
32 physician or dentist in a hospital, medical center, clinic, infirmary or puericulture center who  
33 shall refuse or fail without good cause to render the appropriate medical and dental services  
34 pursuant to this Act, after the child has been brought to his/her attention; or any nurse,  
35 midwife, medical or dental attendant who shall refuse to extend the appropriate assistance,  
36 subject to existing rules, or neglects to notify or call the attention of a physician or dentist in  
37 attendance, shall be punished with imprisonment of at least one (1) year or a fine of not more  
38 than One Hundred Fifty Thousand Pesos (P150,000.00), or both fine and imprisonment, at  
39 the sound discretion of the court. The penalty herein imposed shall not prejudice any  
40 administrative sanctions that may be imposed by law.

41  
42 **SECTION 8. *Separability Clause.*** – If any portion or provision of this Act is declared void  
43 and unconstitutional, the remaining portions or provisions hereof shall not be affected by  
44 such declaration.

45  
46 **SECTION 9. *Repealing Clause.*** – All laws, decrees, orders, rules and regulations, other  
47 issuances, or parts thereof inconsistent with the provisions of this Act are hereby repealed or  
48 modified accordingly.

49

1 **SECTION 10.** *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its  
2 complete publication in at least two (2) national newspapers of general circulation.

Approved,