



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

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RECEIVED BY: *Attila*

SENATE  
S. No. 440

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Introduced by Senator S. R. Osmeña III

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AN ACT  
REQUIRING ALL GOVERNMENT AND PRIVATE HOSPITALS, MEDICAL  
CENTERS, CLINICS, INFIRMARIES, PUERICULTURE CENTERS TO EXTEND  
FREE MEDICAL AND DENTAL ASSISTANCE TO INDIGENT CHILDREN

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

1 SECTION 1. All government and private hospitals, medical centers,  
2 clinics, infirmaries or puericulture centers duly licensed to operate as such, are  
3 hereby required to render medical and dental services to indigent children,  
4 regardless of whether or not they are in danger of dying and/or may have  
5 suffered physical injuries requiring immediate medical attention.

6 For the purposes of this Act, an "indigent child" is an un-emancipated child  
7 below eighteen (18) years of age who has health problems requiring medical and  
8 dental services for his care and treatment, taking into account the following  
9 factors:

- 10 (a) the age of the child;  
11 (b) the financial condition of the family;  
12 (c) the degree of deprivation of parental care and support; and  
13 (d) the inability of his parents to exercise parental authority.

14 SEC. 2. The expenses and losses of earnings incurred by a private  
15 hospital, medical center, clinic, infirmary, or puericulture center; or by an individual  
16 physician or dentist for medicine, facilities, and services extended to the care and  
17 treatment of an indigent child as required herein in an amount not exceeding

1 P300,000.00 per year, shall be deductible expenses and losses for income tax  
2 purposes which may be carried over for a period of five years, any provision of  
3 law, decree, executive order or regulation to the contrary notwithstanding.

4 SEC. 3. Any hospital director, administrator, officer-in-charge, physician or  
5 dentist in a hospital, medical center, clinic, infirmary, or puericulture center who  
6 shall refuse or fail without good cause to render the appropriate medical or dental  
7 service pursuant to Section One of this Act, after said case has been brought to  
8 his/her attention, or any nurse, mid-wife, medical or dental attendant who shall  
9 refuse to extend the appropriate assistance, subject to existing rules, or neglects  
10 to notify or call the attention of a physician or dentist in attendance, shall be  
11 punished with imprisonment of at least one (1) year, but not more than five (5)  
12 years, or a fine of Ten Thousand Pesos (P10,000.00), but nor more than Fifteen  
13 Thousand Pesos (P15,000.00), or both fine and imprisonment at the sound  
14 discretion of the Court.

15 In the case of government hospital, medical centers, clinics, infirmaries, or  
16 puericulture centers, the imposition of the appropriate penalties upon the person  
17 or persons guilty of the violation of this Act shall be without prejudice to the  
18 administrative action that may be proper.

19 In the case of private hospitals, medical centers, clinics, infirmaries, or  
20 puericulture centers, the license to operate shall be suspended or revoked.

21 SEC. 4. The Department of Health in coordination with the Department of  
22 Social Welfare and Development shall have the authority to promulgate the  
23 necessary rules and regulations for the purpose of carrying into effect the  
24 provisions of this Act.

25 SEC. 5. **Separability Clause.** – If any section or provision of this Act shall  
26 be declared unconstitutional or invalid, the other sections or provisions not  
27 affected thereby shall remain in full force and effect.

1           SEC. 6. **Repealing Clause.** – All laws, decrees, orders, rules and  
2 regulations and other issuances inconsistent with the provisions of this Act are  
3 deemed modified, revoked or repealed accordingly.

4           SEC. 7. **Effectivity.** – This Act shall take effect fifteen (15) days after its  
5 publication in two (2) leading newspapers of national circulation.

Approved,