

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

SENATE

S. No. 619

SENATE  
OFFICE OF THE SECRETARY

'04 JUN 30 P8:44

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INTRODUCED BY HON. MANUEL B. VILLAR, JR.

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**EXPLANATORY NOTE**

Devastating catastrophes resulting from both natural and man-made causes occur almost everyday around the world. The National Disaster Coordinating Council reported that the Philippines was struck with 2,607 natural and man-made disasters from 1990 to 2001, with casualties numbering 16,000 and damages to properties amounting to P165.2 million.

Since the Philippines is not immune from disasters, and since government efforts alone is not always adequate to meet the challenge of perils to life and limb, this measure aims to promote and encourage the formation and operation of private non-profit emergency rescue units by assisting them in their funding, equipment and prescribing the mechanics for government assistance and support.

In view of the foregoing, immediate approval of this bill is strongly urged.



MANUEL B. VILLAR, JR.

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**AN ACT**  
**TO PROMOTE AND ENCOURAGE THE FORMATION AND OPERATION OF**  
**PRIVATE NONPROFIT EMERGENCY RESCUE UNITS**

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

SECTION 1. *Title.* - This Act shall be known and may be cited as the "Good Samaritan Act of 2004. "

SECTION 2. *Declaration of Policy.* - In line with the profound constitutional concern for the value of human life it is hereby declared a policy of the State to promote and encourage the formation and operation of private non-profit emergency rescue units by assisting them in their funding, equipment and other primary requirements.

SECTION 3. *Definition of Terms.* - As used in this Act, unless the context clearly indicates otherwise, the following are defined as follows:

- a. Emergency rescue unit - a medical unit organized primarily to detect and report medical emergencies, perform rescue work, render initial medical assistance at the scene of emergency and there from to a hospital or other hospitable environment, and provide transport of the emergency victim to definitive medical care.
- b. Emergency medical services - services provided for the medical management of emergency out-patients and injured victims of accidents, disasters, calamities and other abnormal occurrences at, and while being transported from, the scene of emergency preparatory to referral or admission for definitive medical care.
- c. Department - the Department of Health
- d. Secretary - the Secretary of the Department of Health
- e. Third parties - persons other than the ones being rescued and other than the personnel of the emergency rescue unit.

SECTION 4. *Grants and Contracts.* - The Department may make grants to, or enter into contracts with, private non-profit emergency rescue units which meet the requirements of the Department for -

- a. Assistance in meeting the cost of training programs for physicians, nurses, and emergency medical technicians in the techniques and methods of providing emergency medical services;
- b. Assistance in kind in the form of medicines and medical supplies particularly needed in rendering emergency medical services;
- c. Assistance in the use, either on nominal lease or on rent-free basis, of equipment specially suited for delivering emergency medical services, such as, but not limited to, ambulances, respirators, wheelchairs, oxygen tanks, and powerjacks; and
- d. Assistance in meeting final judgments for the payment of money for accidental injury or death to third parties, arising from the performance by personnel of an emergency rescue unit, in the course of emergency rescue operations, of a lawful act with due care and without fault or intention of causing such injury nor death:

Provided, That such assistance shall in no case exceed fifty percent (50%) of the amount adjudged to be paid.

SECTION 5. *Special Consideration for Rural Areas.* - The Department shall give special consideration to application for grants or contracts relating to the delivery of emergency medical services in the rural areas and training programs which emphasize the identification and utilization of techniques and methods to improve the delivery of emergency medical services in such areas.

SECTION 6. *Eligible Units.* - No grant or contract may be made or entered into by the Department under this Act unless -

- a. The applicant is a private, non-profit organization, and
- b. An application therefore has been submitted to, and approved by, the Department. Such application shall be in such form, submitted in such manner, and contain such information, as the Secretary shall by regulation prescribe to ensure that grants and contracts do not exceed reasonable bounds and that monitoring will be facilitated.

SECTION 7. *Extent of Assistance; Payments; Reports.* - The amount or extent of assistance under this Act shall be determined by the Department. Funding assistance may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Department may prescribe.

SECTION 8. *Reports.* - Grantees and contractees shall make such reports at such intervals, and containing such information, as the Department may require. The reports shall include, in particular, recommendations, in the context of the grant or contract, for improving the delivery of emergency medical units.

SECTION 9. *Rules and Regulations.* - Within one hundred twenty (120) days from the date of effectivity of this Act, the Secretary shall issue such regulations as may be necessary to implement its provisions and help achieve its objectives.

SECTION 10. *Appropriations.* - The sum or sums needed for the grants and contracts under this Act shall be appropriated in the General Appropriations Act, Provided, That no less than thirty-five percent (35%) of the funds authorized to be appropriated for a particular fiscal year shall be used to assist in meeting the cost of training programs for physicians, nurses, and emergency medical technicians in emergency medicine.

SECTION 11. *Separability Clause* - Should any part or provision of this Act be deemed unconstitutional or invalid, the remainder of the Act not otherwise affected thereby shall remain in force and effect.

SECTION 12. *Repealing Clause.* All laws, decrees, executive orders, issuances, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 13. *Effectivity.* - This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in two (2) newspapers of general circulation.

*Approved,*