



Senate

Office of the Secretary

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

'17 FEB 14 P4:10

SENATE

RECEIVED BY: 

S.B. No. 1329

Introduced by Senator SONNY ANGARA

AN ACT
REQUIRING ALL NATIONAL, REGIONAL, AND PROVINCIAL GOVERNMENT
HOSPITALS TO ESTABLISH, OPERATE AND MAINTAIN A DIALYSIS WARD
OR UNIT IN THEIR RESPECTIVE HOSPITAL AND PROVIDING FREE DIALYSIS
TREATMENT TO INDIGENT PATIENTS

EXPLANATORY NOTE

The Department of Health (DOH) has expressed alarm over the rising cases of kidney disease-the country's 6th leading cause of death in 2013. Based on the data from the DOH's Philippine Network for Organ Sharing, close to 23,000 patients underwent dialysis treatment due to kidney failure in 2013, a huge jump from the 4,000 cases recorded in 2004. This figure, the DOH noted, does not include those suffering from kidney failure but who are not able to undergo dialysis treatment due to its high cost and inaccessibility especially in the rural areas. It is estimated that about 3.51 million Filipinos aged 20-79 have diabetes in 2015.

Patients from the provinces, who are suffering from kidney disorder, have to travel all the way to urban cities just to avail themselves of dialysis treatment, which is needed on a regular and sustained basis. The optimum frequency of dialysis is three times a week but because of its high cost and inaccessibility, some patients settle with less but with their health deteriorating more progressively. Worse, some patients have died without given a chance to undergo dialysis because they could not afford it.

In line with the government's efforts to reform the health sector and provide Filipinos with comprehensive health services, local government units must be tapped to make healthcare services more affordable and accessible. Thus, this bill requires all national, regional and provincial government hospitals to establish, operate and maintain a dialysis ward or unit to ensure that dialysis treatment will be available, accessible and cost-effective especially to those living in the rural areas. Moreover, this bill requires that dialysis treatment be provided to indigent patients free of charge.

The aim of this bill is in consonance with the Constitutional mandate to make health services available to our countrymen at affordable cost. For more efficient delivery of healthcare services to the Filipino people, the immediate approval of this proposed measure is earnestly sought.


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

SECTION 1. *Short Title.* – This Act shall be known as the *"Dialysis Center Act."*

SEC 2. *Declaration of Policy.* – It is the declared policy of the State to improve the delivery of health care services to the people and to ensure hospital facilities are available, affordable and accessible to the people.

SEC 3. *Definition of Terms.* – For purposes of this Act, the following terms shall mean:

- a) "Secretary" shall refer to the Secretary of the Department of Health;
- b) "National Government Hospital" shall refer to a hospital operated and maintained either partially or wholly by the national government or by any department, division, board or other agency thereof;
- c) "Regional Government Hospital" shall refer to a hospital operated and maintained either partially or wholly by the national government or by any department, division, board or other agency thereof;
- d) "Provincial Government Hospital" shall refer to a hospital operated and maintained either partially or wholly by the provincial government or other political subdivision, or by any department division, board or other agency thereof; and
- e) "Indigent Patient" shall refer to a patient whose combined annual family incomes does not exceed Thirty Thousand (P30,000.00) annually.

1 **SEC 4. *Establishment, Operation and Maintenance of a Dialysis Ward or Unit.*** –

2 Within two (2) years from the effectivity of this Act, all national, regional, and provincial
3 government hospitals are hereby required to establish, operate and maintain a dialysis
4 ward or unit in their hospital. The dialysis ward or unit shall be equipped with complete
5 dialysis machine, equipment and supplies.

6
7 **SEC 5. *Free Dialysis Treatment to Indigent Patients.*** – Dialysis treatment in all
8 national, regional and provincial government hospitals shall be provided free of charge
9 to indigent patients as defined in Section 3 (e) hereof.

10
11 **SEC 6. *Penalty.*** – Any hospital chief, administrator or officer-in-charge who fails to
12 comply with this Act shall be punished with a fine of Fifty Thousand Pesos (P50,000.00)
13 but not more than One Hundred Thousand Pesos (P100,000.00).

14
15 **SEC 7. *Implementing Rules and Regulations.*** – The Secretary shall promulgate the
16 necessary rules and regulations to implement the provisions of this Act.

17
18 **SEC 8. *Appropriations.*** – Such amount as may be necessary to implement the
19 provisions of this Act is hereby authorized to be appropriated from the National
20 Treasury. Thereafter, the amount necessary for the continuous implementation of this
21 Act shall be included in the government hospital's annual appropriations.

22
23 **SEC 9. *Separability Clause.*** – If any provision or part hereof is held invalid or
24 unconstitutional, the remainder of the law or the provision not otherwise affected shall
25 remain valid and subsisting.

26
27 **SEC 10. *Repealing Clause.*** – Any law, presidential decree or issuance, executive
28 order, letter of instruction, administrative order, rule or regulation contrary to or
29 inconsistent with the provisions of this Act are hereby repealed, modified or amended
30 accordingly.

31
32 **SEC 11. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in
33 at least two (2) newspapers of general circulation.

34
35 *Approved,*