

13<sup>TH</sup> CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session

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SENATE

RECEIVED BY: A

S. BILL NO. 1373

Introduced by Senator Ralph G. Recto

**Explanatory Note**

Section 15, Article II of the Constitution specifies the policy of the State to protect and promote the right to health of the people and instill health consciousness among them.

However, it has been common practice for hospitals and medical practitioners to detain patients because of their inability to settle their hospital bills and medical expenses. Needless to say, this inhumane practice causes the patients and their families prolonged agony and more expenses.

Prohibiting the release of patients who have recovered and keeping the remains of dead patients in hospitals or medical clinics because their families could not settle the medical expenses constitute a deprivation of liberty on the grounds of financial incapacity.

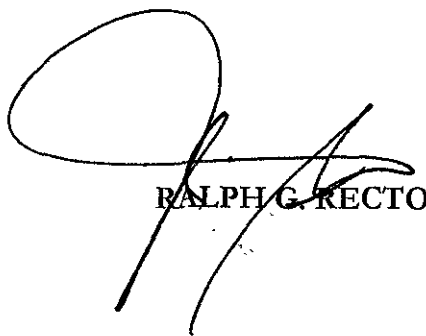
It is in this light that this measure, which prohibits the detention of recovered or dead patients in hospitals and medical clinics for non-payment of hospital bills or medical expenses, is introduced.

Under the bill, patients who have fully or partially recovered and who wish to leave the hospital or medical clinic, but are financially incapable of fully or partially settling their hospitalization expenses, including professional fees and medicines, shall be allowed to leave upon the execution of a promissory note covering the unpaid obligation. Such promissory note shall be secured by either a mortgage or by a guarantee of a co-maker, who will be jointly and severally liable with the patient for the unpaid obligation.

This bill also stipulates that patients, who wish to leave the hospital or medical clinics where they were confined, shall also have the right to demand the issuance of a medical certificate and other pertinent papers required for such release.

In the case of deceased patients, the bill provides that the corresponding death certificate and other documents pertinent to the interment shall be released to their surviving relatives.

In order to preserve every person's right to receive adequate and competent medical attention without discrimination, approval of this measure is earnestly sought.

  
RALPH G. RECTO



1 (P15,000.00) or imprisonment of not less than one (1) month but not more than six (6)  
2 months, or both such fine and imprisonment, at the discretion of the proper court.

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4 SEC. 4. The Department of Health shall promulgate the necessary rules and  
5 regulations to carry out the provisions of this Act.

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7 SEC. 5. If any provision of this Act is declared void and unconstitutional, the  
8 remaining provisions thereof not affected thereby shall remain in full force and effect.

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10 SEC. 6. All laws, decrees, orders, rules and regulations or parts thereof inconsistent  
11 with this Act are hereby repealed or amended accordingly.

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13 SEC. 7. This Act shall take effect fifteen (15) days after its publication in two (2)  
14 national newspapers of general circulation.

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*Approved,*