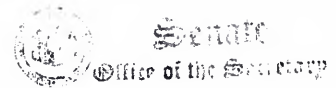


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 25 A10 :30

SENATE

RECEIVED BY: _____

S. No. 800

Introduced by Senator Jinggoy Ejercito Estrada

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

EXPLANATORY NOTE

The government's efforts to reform the health sector have been set in place through several innovative projects and programs aimed at providing the people with comprehensive health services. The participation of local government units has been tapped to make health care services more affordable and accessible.

However, the fact remains that sophisticated and advanced hospital and medical equipment and facilities are found in highly urbanized cities, so much so that patients from the rural areas have to travel all the way to these urban cities just to avail themselves of advanced medical treatment. The high costs of treatment and the additional travel expenses are financially draining particularly for patients that need treatment on a regular and sustained basis. This is especially true for patients who are suffering from kidney disorder who have to undergo dialysis treatment regularly.

According to the latest available data from the National Kidney and Transplant Institute (NKTl), kidney diseases are the 7th leading cause of death among Filipinos. One (1) Filipino develops chronic renal failure every hour or about 120 Filipinos per

million population every year. According to the Philippine Health Insurance Corporation (PhilHealth), latest estimates show that around 2.3 million Filipinos have Chronic Kidney Disease (CKD) and that in 2016, more than 36,000 patients were on dialysis treatment which shows a 15% increase in the number of patients in a single year.

In consonance with the constitutional mandate to make health services available to all the people at affordable cost, this bill requires all national, regional and provincial government hospitals to establish, operate and maintain a dialysis ward or unit in their respective hospital in order that dialysis treatment will be available and accessible to the people especially those in the rural areas in a cost effective manner. Moreover, this bill requires that dialysis treatment should be provided to indigent patients, free of charge.

In light of the foregoing, the immediate approval of this bill is earnestly sought.



JINGGOY EJERCITO ESTRADA

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

- 1 Section 1. *Short Title.* - This Act shall be known as the "*Dialysis Center Act*".
- 2 Sec. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to
3 improve the delivery of health care services to the people and to ensure that public
4 specialty healthcare services hospital facilities are made affordable and accessible to
5 the people. Towards this end, the State shall create Dialysis centers in all national,
6 regional, and provincial government hospitals throughout the country.
- 7 Sec. 3. *Definition of Terms.* - For purposes of this Act, the following terms
8 shall mean:
- 9 a) *National Government Hospital* shall refer to a hospital operated and
10 maintained either partially or wholly by the national government or by any
11 department, division, board or other agency thereof;
- 12 b) *Regional Government Hospital* shall refer to a hospital operated and
13 maintained either partially or wholly by the national government or by any
14 department, division, board or other agency thereof;
- 15 c) *Provincial Government Hospital* shall refer to a hospital operated and
16 maintained either partially or wholly by the provincial government or other

1 political subdivision, or by any department division, board or other agency
2 thereof; and,

3 d) *Indigent Patient* shall refer to a person who has no visible means of income,
4 or whose income is insufficient for the subsistence of his family, as identified
5 by the Department of Social Welfare and Development (DSWD).

6 *Sec. 4. Establishment, Operation and Maintenance of a Dialysis Center.* -
7 Within two (2) years from the effectivity of this Act, all national, regional, and
8 provincial government hospitals are hereby required to establish, operate and
9 maintain a dialysis center in their hospital. The dialysis center shall be equipped with
10 complete dialysis machine, equipment and supplies.

11 *Sec. 5. Free Dialysis Treatment for Indigent Patients.* - Dialysis treatment in
12 all national, regional and provincial government hospitals shall be provided free of
13 charge to indigent patients as defined in Section 3 (e) hereof.

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

17 *Sec. 7. Appropriations.* - The sum necessary for the effective implementation
18 of this Act shall be taken from the current applicable appropriations of the
19 Department of Health (DOH) and over-all savings of the National Government.
20 Thereafter, funds for its continued implementation shall be included in the annual
21 General Appropriations Act.

22 *Sec. 8. Implementing Rules and Regulations.* - Within sixty (60) days upon
23 the effectivity of this Act, the DOH shall promulgate the necessary rules and
24 regulations for the effective implementation of this Act.

25 *Sec. 9. Separability Clause.* - If any provision, section, or part of this Act shall
26 unconstitutional or invalid, such judgement shall not affect, invalidate, or impair any
27 other provisions, sections, or parts hereof.

28 *Sec. 10. Repealing Clause.* - All laws, decrees, orders, issuances, circulars,
29 rules and regulations or parts thereof, which are inconsistent with the provisions of
30 this Act are hereby repealed or modified accordingly.

1 Sec. 11. *Effectivity.* - This Act shall take effect fifteen (15) days after its
2 publication in the *Official Gazette* or in at least two (2) newspapers of general
3 circulation.

Approved,