

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



23 FEB -9 P2 :03

**SENATE**  
**S. No. 1861**

RECEIVED BY: \_\_\_\_\_

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Introduced by Senator MARK A. VILLAR

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**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

Article 13 Section 11 of the Constitution provides that, "The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. xxx"

Kidney disease is already the 7<sup>th</sup> leading cause of death among the Filipinos.<sup>1</sup> According to recent estimates, 2.3 million Filipinos suffer from chronic renal disease.

One Filipino dies because of kidney failure every hour. Nearly 35,000 Filipinos are receiving dialysis and other treatments for kidney disease nationwide.<sup>2</sup> The mortality rate from kidney disease is increasing annually.

Aside from the suffering caused by this illness, kidney patients are also battling from accessing dialysis centers and the burden of paying medical fees. For hundreds of patients who were unable to avail dialysis, the National Kidney and Transplant Institute (NKTi) became the default option. As the number of patients suffering from

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<sup>1</sup> NKTi.gov.ph. (2010). Kidney Health Plus. Nkti.gov.ph. <https://nkti.gov.ph/index.php/patients-and-visitors/kidney-health-plus>

<sup>2</sup> Media, U. P., & Office, P. R. (2020, December 1). UP webinar takes on the challenges of kidney disease and dialysis in a time of COVID. University of the Philippines. <https://up.edu.ph/up-webinar-takes-on-the-challenges-of-kidney-disease-and-dialysis-in-a-time-of-covid/>

kidney disease dramatically increases, the capacity of NKTII is a concern that the State should address in the near future. Unfortunately, patients from the far-flung areas had no other choice but to travel to urban areas just to avail dialysis treatment. This situation was aggravated during the spike of COVID-19 pandemic when many dialysis centers shut down.

Thus, in consonance with the constitutional mandate that health services shall be available to all the people at affordable costs, this bill seeks to require all national, regional, and provincial government hospitals to establish, operate, and maintain a dialysis ward or unit in their respective hospital and to provide free dialysis to indigent patients.

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



**MARK A. VILLAR**

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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 the declared policy of the State to improve  
3 the delivery of health services to the people and to ensure hospital facilities are  
4 available, affordable and accessible to the people.

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

7 (a) *National Government Hospital* - refers hospital operated and maintained  
8 either partially or wholly by the national government or by any department,  
9 division, board or other agency thereof;

10 (b) *Regional Government Hospital* – refers to a hospital operated and  
11 maintained either partially or wholly by the national government or by any  
12 department, division, board or other agency thereof;

13 (c) *Provincial Government Hospital* – refers to a hospital operated and  
14 maintained either partially or wholly by the provincial government or other  
15 political subdivision, or by any department division, board or other agency  
16 thereof; and

1 (d) *Indigent Patient* – refers to patient who has no visible means of income,  
2 compensation or financial assistance from his/her relatives to support  
3 his/her basic needs, as determined by the Department of Social Welfare and  
4 Development (DSWD);

5 Sec. 4. *Establishment, Operation and Maintenance of a Dialysis Ward or Unit.*

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

10 Sec. 5. *Free Dialysis Treatment to Indigent Patients.* – Dialysis treatment in all

11 national, regional and provincial government hospitals shall be provided free of charge  
12 to indigent patients as defined in Section 3 (d) hereof.

13 Sec. 6. *Penalty.* – Any hospital chief, administrator or officer-in-charge who

14 fails to comply with this Act shall be punished with a fine of Fifty Thousand Pesos  
15 (P50,000.00) but not more than One Hundred Thousand Pesos (P100,000.00).

16 Sec. 7. *Implementing Rules and Regulations.* – The Secretary of DOH shall

17 promulgate the necessary rules and regulations to implement the provisions of this  
18 Act.

19 Sec. 8. *Appropriations.* – Such amount as may be necessary to implement the

20 provisions of this Act is hereby authorized to be appropriated from the National  
21 Treasury. Thereafter, the amount necessary for the continuous implementation of this  
22 Act shall be included in the government hospital's annual appropriations.

23 Sec. 9. *Separability Clause.* – If any provision or part of this Act is declared

24 unconstitutional, the remaining parts or provisions not affected shall remain in full  
25 force and effect.

26 Sec. 10. *Repealing Clause.* – All laws, executive orders, issuances, rules and

27 regulations, inconsistent with this Act are hereby repealed or modified accordingly.

28 Sec. 11. *Effectivity.* – This Act shall take effect after fifteen (15) days following

29 its publication in the *Official Gazette* or in a newspaper of general circulation.

30 *Approved,*