

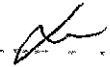
THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

SECRETARY

FEB 07 2007

SENATE

RECEIVED



COMMITTEE REPORT NO. 302

Submitted jointly by the Committees on Health and Demography and Social Justice, Welfare and Rural Development on FEB 07 2007.

Re : H. No. 68

Recommending its approval without amendments, taking into consideration S. Nos. 337, 607, 1373 and 2454.

Sponsor : Senator Cayetano

MR. PRESIDENT:

The Committees on Health and Demography and Social Justice, Welfare and Rural Development to which were referred House Bill No. 68, introduced by Reps. Del Mar, Almario, Chipeco, et.al, entitled:

**“AN ACT
PROHIBITING THE DETENTION OF PATIENTS IN HOSPITALS AND MEDICAL
CLINICS ON GROUNDS OF NONPAYMENT OF HOSPITAL BILLS OR MEDICAL
EXPENSES”**

Senate Bill No. 337, introduced by Senator Osmeña, entitled:

**“AN ACT
PROHIBITING THE DETENTION OF PATIENTS IN HOSPITALS AND MEDICAL
CLINICS ON GROUNDS OF NON-PAYMENT OF HOSPITAL BILLS OR
MEDICAL EXPENSES”**

Senate Bill No. 607, introduced by Senator Villar, entitled:

**“AN ACT
PROHIBITING THE DETENTION OF LIVE OR DEAD PATIENTS IN HOSPITALS
AND MEDICAL CLINICS ON GROUNDS OF NON-PAYMENT OF HOSPITAL
BILLS OR MEDICAL EXPENSES”**

Senate Bill No. 1373, introduced by Senator Recto, entitled:


**“AN ACT
PROHIBITING THE DETENTION OF LIVE OR DEAD PATIENTS IN HOSPITALS
AND MEDICAL CLINICS ON GROUNDS OF NONPAYMENT OF HOSPITAL
BILLS OR MEDICAL EXPENSES”**


and Senate Bill No. 2454, introduced by Senator Lim, entitled:

**“AN ACT
PENALIZING HOSPITALS AND FUNERAL PARLORS FOR HOSTAGING
PATIENTS OR CADAVERS”,**

and that H. No. 68 be approved without amendments, taking into consideration S. Nos. 337, 607, 1373 and 2454.

Respectfully submitted:

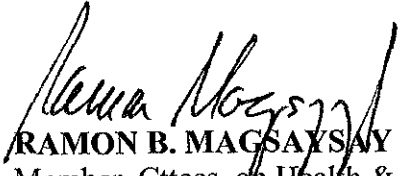

SERGIO OSMEÑA III
Chairperson
Committee on Social Justice,
Welfare and Rural Dev't.


COMPAÑERA PIA S. CAYETANO
Chairperson
Committee on Health and Demography
Member, Cttee. on Social Justice, Welfare
& Rural Development


M.A. MADRIGAL
Vice Chairperson
Cttee. on Social Justice, Welfare & Rural Dev't
Member, Cttee. on Health & Demography

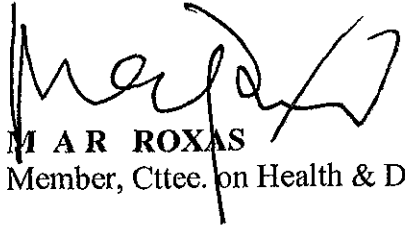
Members:

MANUEL M. LAPID
Member, Cttees. on Health &
Demography and Social Justice,
Welfare and Rural Dev't.

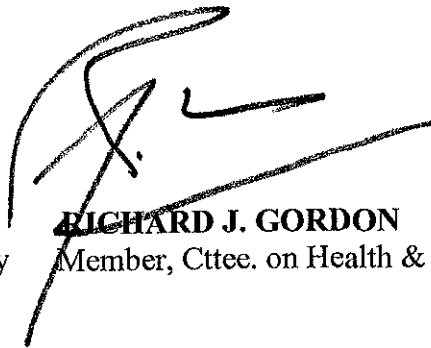

RAMON B. MAGSAYSAY
Member, Cttees. on Health & Demography
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RALPH G. RECTO
Member, Cttee. on Health & Demography

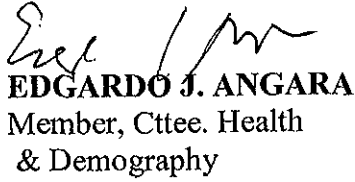

RODOLFO G. BIAZON
Member, Cttee. on Health & Demography



MAR ROXAS
Member, Cttee. on Health & Demography

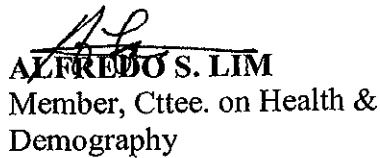


RICHARD J. GORDON
Member, Cttee. on Health & Demography

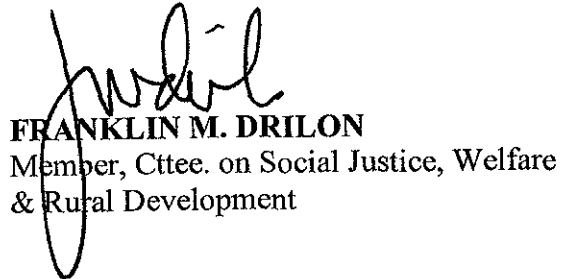


EDGARDO J. ANGARA
Member, Cttee. Health
& Demography

LUISA "LOI" P. EJERCITO ESTRADA
Member, Cttees. on Health & Demography and
Social Justice, Welfare & Rural Dev't.

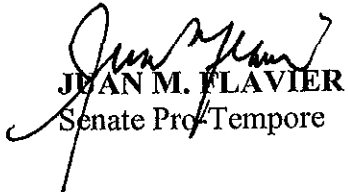


ALFREDO S. LIM
Member, Cttee. on Health &
Demography

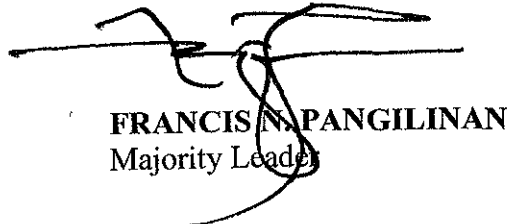


FRANKLIN M. DRILON
Member, Cttee. on Social Justice, Welfare
& Rural Development

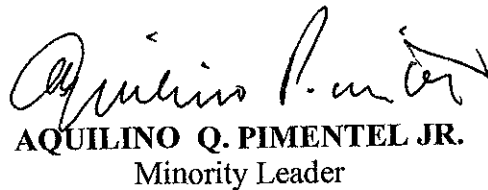
Ex-Officio Members:



JUAN M. FLAVIER
Senate Pro Tempore



FRANCIS N. PANGILINAN
Majority Leader



AQUILINO Q. PIMENTEL JR.
Minority Leader

The Honorable MANNY B. VILLAR
Senate President



HOUSE OF REPRESENTATIVES

H. No. 68

BY REPRESENTATIVES DEL MAR, ALMARIO, CHIPECO, CODILLA, SOLIS,
VARGAS, CHATTO, AMIN, ROQUERO, JALOSJOS-CARREON, TULAGAN,
PUNO, YAPHA, MARAÑON, CARMONA, RAMIRO, MAGTUBO, VELOSO,
ESPINOSA (E.R.), MAGSAYSAY (M.), PER COMMITTEE REPORT NO. 753

AN ACT PROHIBITING THE DETENTION OF PATIENTS IN
HOSPITALS AND MEDICAL CLINICS ON GROUNDS OF
NONPAYMENT OF HOSPITAL BILLS OR MEDICAL EXPENSES

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

1 SECTION 1. It shall be unlawful for any hospital or medical clinic in
2 the country to detain or to otherwise cause, directly or indirectly, the detention
3 of patients who have fully or partially recovered or have been adequately
4 attended to or who may have died, for reasons of nonpayment in part or in full,
5 of hospital bills or medical expenses.

6 SEC. 2. Patients who have fully or partially recovered and who already
7 wish to leave the hospital or medical clinic but are financially incapable to
8 settle, in part or in full, their hospitalization expenses, including professional

1 fees and medicines, shall be allowed to leave the hospital or medical clinic,
2 with a right to demand the issuance of the corresponding medical certificate
3 and other pertinent papers required for the release of the patient from the
4 hospital or medical clinic upon the execution of a promissory note covering the
5 unpaid obligation. The promissory note shall be secured by either a mortgage
6 or by a guarantee of a co-maker, who will be jointly and severally liable with
7 the patient for the unpaid obligation. In the case of a deceased patient, the
8 corresponding death certificate and other documents required for interment and
9 other purposes shall be released to any of his surviving relatives requesting for
10 the same: *Provided, however,* That patients who stayed in private rooms shall
11 not be covered by this Act.

12 SEC. 3. Any officer or employee of the hospital or medical clinic
13 responsible for releasing patients, who violates the provisions of this Act shall
14 be punished by a fine of not less than Twenty thousand pesos (P20,000.00), but
15 not more than Fifty thousand pesos (P50,000.00), or imprisonment of not less
16 than one month, but not more than six months, or both such fine and
17 imprisonment, at the discretion of the proper court.

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

1 SEC. 5. If any provision of this Act is declared void and
2 unconstitutional, the remaining provisions hereof not affected thereby shall
3 remain in full force and effect.

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

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

Approved,