
Introduced by Senator Maria Lourdes Nancy S. Binay

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RESOLUTION
CALLING FOR THE APPROPRIATE SENATE COMMITTEES TO CONDUCT AN
INQUIRY IN AID OF LEGISLATION ON THE ALLEGED REFUSAL TO ADMIT
PERSONS IN NEED OF IMMEDIATE MEDICAL ATTENTION AND TO
DISCHARGE PATIENTS DUE TO LACK OF CAPACITY TO PROVIDE DEPOSIT
AND THE PAYMENT OF HOSPITAL DUES, RESPECTIVELY

WHEREAS, Article XIII, Section 1, of the 1987 Philippine Constitution provides: "The Congress shall give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good.";

WHEREAS, Republic Act (R.A.) 8344, Section 1 provides: "In emergency or serious cases, it shall be unlawful for any proprietor, president, director, manager or any other officer, and/or medical practitioner or employee of a hospital or medical clinic to request, solicit, demand or accept any deposit or any other form of advance payment as a prerequisite for confinement or medical treatment of a patient in such hospital or medical clinic or to refuse to administer medical treatment and support as dictated by good practice of medicine to prevent death or permanent disability X X X";

WHEREAS, It was reported that a 10 year old child suffering from congenital heart disease, diabetes and kidney problems died due to the refusal of a private hospital to admit said child¹;

WHEREAS, Salarda-Chan, mother of the 10 year old, alleged that the hospital staff at the Butuan Doctors Hospital refused to admit the child because they could not pay the full admission deposit for the intensive care unit despite pleading that they can pay said deposit the morning of the next day²;

WHEREAS, R.A. 9439, Section 1, provides: It shall be unlawful for any hospital or medical clinic in the country to detain or to otherwise cause, directly or indirectly, the detention of patients who have fully or partially recovered or have been adequately attended to or who may have died, for reasons of nonpayment in part or in full of hospital bills or medical expenses.";

¹ Rappler Website; <http://www.rappler.com/move-ph/issues/65977-butuan-doctors-hospital-controversy>.

² Supra.

WHEREAS, it has come to my attention through personal meetings that patients in hospitals not staying in private rooms are being detained against their will should they fail to pay hospital dues on the day they intend and are able to leave the hospital;

WHEREAS, my personal meetings also indicated that these patients are willing to tender partial payment as well as execute promissory notes in favor of the hospitals;

WHEREAS, in this light there is a possibility of hospitals having similar practices and blatantly violating the clear provisions of R.A. 8344 and R.A.9439 and their Implementing Rules and Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, as it is hereby resolved to direct the appropriate Senate Committees to conduct an inquiry in aid of legislation on the *alleged refusal to admit persons in need of immediate medical attention and to discharge patients due to lack of capacity to provide deposit and the payment of hospital dues, respectively.*

Adopted,



Maria Lourdes Nancy S. Binay
Senator