

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

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SENATE

S.B. NO. 968

RECEIVED BY: 

Introduced by Sen. Jinggoy Ejercito Estrada

EXPLANATORY NOTE

All children are entitled to the rights guaranteed by the laws of our country, without distinction and discrimination. Article XV, Section 3 (2) of the Constitution states that:

“The State shall defend the right of the children to assistance including proper care and nutrition and special protection from all forms of neglect and abuse, cruelty, exploitation, other conditions prejudicial to their development.

This is magnified by the provisions of PD 603 or the Child and Youth Welfare Code, as amended, on the Rights of the Child, providing that:

“Every child has the right to a balanced diet, adequate clothing, sufficient shelter, proper medical attention, and all the basic physical requirements of a healthy and vigorous life.” (Art. 3(4)).

It is a major cause of concern that despite all these safeguards, the rampant practice of certain hospitals' refusal to attend to the medical and dental needs of street children despite the immediacy and the urgency of such need due to the street children's inability to provide “deposits” is still practiced.

We should put an end to such practice by providing for a law that would require both public and private hospitals and clinics to render free medical and dental services to indigent children, and penalizing those who will violate such requirement. This bill requires all medical institutions to extend health services to indigent children, which includes but is not necessarily limited to street children. Only through a concrete legislative measure can we fully realize the principles and policies sought to be effected by the various laws protecting the rights of the child.

In line with the State's evolving agenda on defending the rights of the child the immediate passage of this bill is profoundly sought.


JINGGOY EJERCITO ESTRADA
Senator

SENATE

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S.B. No. 968

Introduced by SENATOR JINGGOY EJERCITO ESTRADA

**AN ACT TO REQUIRE THE GIVING OF FREE MEDICAL AND
DENTAL SERVICE TO INDIGENT CHILDREN**

*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 "*Indigent*
2 *Children Free Medical and Dental Service Act.*"

3 **SEC. 2. Declaration of Policy.** - Children are the future of Philippine
4 society. Upon this premise, it is hereby declared the policy of the state to provide
5 all the possible assistance it could provide to children specially those who are
6 unfortunate to have no means of support or no one to support them.

7 **SEC. 3. Indigent Children, Definition.** - Indigent children are those below
8 18 years old of age who have no visible means of support or whose parents or
9 guardians have no means of providing for their immediate medical and dental
10 needs.

11 **SEC. 4. Free Medical Service.** - All hospitals, medical centers, clinics and
12 other institutions that provide frontline medical services throughout the
13 Philippines are hereby mandated under this Act to provide free medical
14 treatment to indigent children.

15 **SEC. 5. Free Dental Service** - All dental clinics, medical centers and other
16 institutions that provide frontline dental healthcare throughout the country are
17 mandated under this Act to provide free dental healthcare to indigent children.

1 **SEC. 6. DSWD and DOH Function.** - The Department of Social Welfare
2 and Development in coordination with the Department of Health shall be the
3 lead agencies in the implementation of this Act. The DSWD shall determine if
4 the child is indeed an indigent while the Department of Health shall coordinate
5 with the implementation of the free medical and dental services to indigent
6 children.

7 **SEC. 7. Appropriations.** - The amount necessary to carry out the
8 provisions of this Act shall be included in the General Appropriations Act of the
9 year following its enactment into law and thereafter.

10 **SEC. 8. Separability Clause.** - If any portion or provision of this Act were
11 to be declared unconstitutional, the remainder of this Act or any provision not
12 affected thereby shall remain in force and effect.

13 **SEC. 9. Repealing Clause.** - Any law, presidential decree or issuance,
14 executive order, letter of instruction, rule or regulation inconsistent with the
15 provisions of this Act is hereby repealed or modified accordingly.

16 **SEC. 10. Effectivity.** - This Act shall take effect fifteen days from the date
17 of its complete publication in the Official Gazette or in at least two newspapers of
18 general circulations.

Approved,