

SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

SENATE
S.B. NO. 1657

Introduced by Senator Maria Lourdes Nancy S. Binay 18 JUN 22 2:29

**AN ACT REQUIRING ALL GOVERNMENT AND PRIVATE HOSPITALS,
MEDICAL CENTERS, CLINICS, INFIRMARIES AND PERICULTURE
CENTERS TO GIVE FREE MEDICAL AND DENTAL ASSISTANCE TO
INDIGENT CHILDREN**

EXPLANATORY NOTE

This bill seeks to provide free medical and dental assistance to indigent children, with the State's recognition of the need to promote the physical well-being of children, including promoting their right to health, and making health services adequate to all. In order to achieve this end, all government and private hospitals, medical centers, clinics, infirmaries and puericulture centers are required to render medical and dental services to indigent children and at the same time provide tax incentives to these covered institutions.


MARIA LOURDES NANCY S. BINAY
Senator

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INDIGENT CHILDREN**

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

- 1 **SECTION 1.** *Title.* – This Act shall be known as “*The Indigent Children Free Medical*
2 *and Dental Service Act.*”
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- 4 **SECTION 2.** *Declaration of Policy.* – In consonance with the State’s recognition of the
5 need to promote the physical well-being of children, including promoting their right to
6 health, and making health services adequate to all, it is hereby declared the policy of the
7 State to provide for all possible assistance it could provide to children especially those
8 who are unfortunate to have no means of support or have no one to support them.
9
- 10 **SECTION 3.** *Indigent Children.* – For purposes of this Act, an *indigent child* shall refer
11 to an unemancipated child below eighteen (18) years of age who have no visible means
12 of support or whose parents or guardians have no means of providing for their immediate
13 medical and dental needs.
14
- 15 **SECTION 4.** *Duty of the DSWD and DOH.* – The Department of Social Welfare and
16 Development (“DSWD”) and the Department of Health (“DOH”) shall be tasked with the
17 primary responsibility of implementing the provisions of this Act. For this purpose, the
18 DSWD shall promulgate the necessary guidelines in order to determine if a child in need
19 of medical and/or dental service may be considered indigent, taking into account the
20 following factors:
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- 22 1. Age of the child;
 - 23 2. Financial condition of the family;
 - 24 3. Degree of deprivation of parental care and support; and
 - 25 4. Inability of his parents to exercise parental authority.
- 26

1 The DOH on the other hand, shall coordinate and establish the necessary mechanisms and
2 regulations to govern both government and private hospitals, medical centers, clinics,
3 infirmaries and puericulture centers in the implementation of this Act.
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5 The DSWD and DOH shall have the authority to promulgate the necessary rules and
6 regulations for the purpose of carrying into effect the provisions of this Act.
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8 **SECTION 5. *Free Medical and Dental Services.*** – All government and private hospitals,
9 medical centers, clinics, infirmaries and puericulture centers duly licensed to operate as
10 such, are hereby required to render medical and dental services to indigent children,
11 regardless of whether or not they are in danger of dying and/or may have suffered
12 physical injuries requiring immediate medical attention.
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14 **SECTION 6. *Incentives for Private Hospital, Medical Center, Clinic, Infirmary and/or***
15 ***Puericulture Centers.*** – The expenses and losses of earnings incurred by a private
16 hospitals, medical center, clinic, infirmary or puericulture center, or by an individual
17 physician or dentist, for medicine, facilities and services extended to the care and
18 treatment of an indigent child as required herein, in the amount not exceeding Five
19 Hundred Thousand Pesos (P500,000.00) per year, shall be considered deductible
20 expenses and losses for income tax purposes, which may be carried over for a period of
21 five (5) years.
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23 To ensure compliance with the provisions of this Act, all indigent children treated by
24 private hospitals, medical centers, clinics, infirmaries or puericultural centers shall secure
25 a certification from the social worker assigned to the hospital, medical center, clinic,
26 infirmary or puericulture center. The Certification shall contain the following
27 information:
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- 29 1. Name of patient;
- 30 2. That the patient is indigent and supporting proof thereof;
- 31 3. Service/s rendered to the patient;
- 32 4. Cost of such service/s based on the existing price list of the hospital, medical
33 center, clinic, infirmary or puericulture center at the time of treatment; and
- 34 5. Attestation from the social worker that all information contained therein are true
35 and correct to his/her knowledge.
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37 **SECTION 7. *Penal Clause.*** – Any hospital director, administrator, officer-in-charge,
38 physician or dentist in a hospital, medical center, clinic, infirmary or puericulture center
39 who shall refuse or fail without good cause to render the appropriate medical and dental
40 services pursuant to this Act, after the child has been brought to his/her attention; or any
41 nurse, midwife, medical or dental attendant who shall refuse to extend the appropriate
42 assistance, subject to existing rules, or neglects to notify or call the attention of a
43 physician or dentist in attendance, shall be punished with imprisonment of at least one (1)
44 year or a fine of not more than One Hundred Fifty Thousand Pesos (P150,000.00), or
45 both fine and imprisonment, at the sound discretion of the court. The penalty herein
46 imposed shall not prejudice any administrative sanctions that may be imposed by law.

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SECTION 8. *Separability Clause.* – If any portion or provision of this Act is declared void and unconstitutional, the remaining portions or provisions hereof shall not be affected by such declaration.

SECTION 9. *Repealing Clause.* – All laws, decrees, orders, rules and regulations, other issuances, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 10. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved,