

**EIGHTEENTH CONGRESS OF THE REPUBLIC  
OF THE PHILIPPINES**  
First Regular Session



Senate  
Office of the Secretary

'19 JUL -1 P 6 :03

SENATE  
S.B. NO. 119

RECORDED

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Introduced by Senator Maria Lourdes Nancy S. Binay

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**AN ACT  
REQUIRING ALL GOVERNMENT AND PRIVATE HOSPITALS, MEDICAL  
CENTERS, CLINICS, INFIRMARIES AND PUERICULTURE 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 in consonance 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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**REQUIRING ALL GOVERNMENT AND PRIVATE HOSPITALS, MEDICAL  
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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*  
2 *Medical and Dental Service Act."*

3  
4           Sec. 2. *Declaration of Policy.* – In consonance with the State's recognition  
5 of the need to promote the physical well-being of children, including promoting  
6 their right to health, and making health services adequate to all, it is hereby  
7 declared the policy of the State to provide for all possible assistance it could  
8 provide to children especially those who are unfortunate to have no means of  
9 support or have no one to support them.

10  
11           Sec. 3. *Indigent Children.* – For purposes of this Act, an indigent child  
12 shall refer to an unemancipated child below eighteen (18) years of age who have  
13 no visible means of support or whose parents or guardians have no means of  
14 providing for their immediate medical and dental needs.

15  
16           Sec. 4. *Duty of the DSWD and DOH.* – The Department of Social Welfare  
17 and Development ("DSWD") and the Department of Health ("DOH") shall be

1 tasked with the primary responsibility of implementing the provisions of this Act.  
2 For this purpose, the DSWD shall promulgate the necessary guidelines in order  
3 to determine if a child in need of medical and/or dental service may be  
4 considered indigent, taking into account the following factors:

- 5
- 6 1. Age of the child;
- 7 2. Financial condition of the family;
- 8 3. Degree of deprivation of parental care and support; and
- 9 4. Inability of his parents to exercise parental authority.

10  
11 The DOH, on the other hand, shall coordinate and establish the necessary  
12 mechanisms and regulations to govern both government and private hospitals,  
13 medical centers, clinics, infirmaries and puericulture centers in the  
14 implementation of this Act.

15  
16 The DSWD and DOH shall have the authority to promulgate the necessary rules  
17 and regulations for the purpose of carry into effect the provisions of this Act.

18  
19 *Sec. 5. Free Medical and Dental Services.* – All government and private  
20 hospitals, medical centers, clinics, infirmaries and puericulture centers duly  
21 licensed to operate as such, are hereby required to render medical and dental  
22 services to indigent children, regardless of whether or not they are in danger of  
23 dying and/or may have suffered physical injuries requiring immediate medical  
24 attention.

25  
26 *Sec. 6. Incentives for Private Hospital, Medical Center, Clinic, Infirmary*  
27 *and/or Puericulture Centers.* – The expenses and losses of earnings incurred by a  
28 private hospital, medical center, clinic, infirmary or puericulture center, or by an  
29 individual physician or dentists, for medicine, facilities and services extended to  
30 the care and treatment of an indigent child as required herein, in the amount not



1 exceeding Five Hundred Thousand Pesos (P500,000.00) per year, shall be  
2 considered deductible expenses and losses for income tax purposes, which may  
3 be carried over for a period of five (5) years.

4  
5 To ensure compliance with the provisions of this Act, all indigent children treated  
6 by private hospitals, medical centers, clinics, infirmaries or puericulture centers  
7 shall secure a certification from the social worker assigned to the hospital,  
8 medical center, clinic, infirmary or puericulture center. The Certification shall  
9 contain the following information:

- 10
- 11 1. Name of patient;
  - 12 2. That the patient is indigent and supporting proof thereof;
  - 13 3. Service/s rendered to the patient;
  - 14 4. Cost of such service/s based on the existing price list of the  
15 hospital, medical center, clinic, infirmary or puericulture center at  
16 the time of treatment; and
  - 17 5. Attestation from the social worker that all information contained  
18 therein are true and correct to his/her knowledge.

19  
20 *Sec. 7. Penal Clause.* – Any hospital director, administrator, officer-in-  
21 charge, physician or dentist in a hospital, medical center, clinic, infirmary or  
22 puericulture center who shall refuse or fail without good cause to render the  
23 appropriate medical and dental services pursuant to this Act, after the child has  
24 been brought to his/her attention; or any nurse, midwife, medical or dental  
25 attendant who shall refuse to extend the appropriate assistance, subject to  
26 existing rules, or neglects to notify or call the attention of a physician or dentist  
27 in attendance, shall be punished with imprisonment of at least one (1) year or a  
28 fine of not more than One Hundred Fifty Thousand Pesos (P150,000.00), or both  
29 fine and imprisonment, at the sound discretion of the court. The penalty herein

1 imposed shall not prejudice any administrative sanctions that may be imposed by  
2 law.

3

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

7

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

11

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

Approved,