

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



Senate
Office of the Secretary

'19 JUL -2 AIO :41

SENATE
S. B. No. 134

RECEIVED BY: _____

Introduced by Senator SONNY ANGARA

AN ACT
REQUIRING ALL NATIONAL, REGIONAL, AND PROVINCIAL GOVERNMENT
HOSPITALS TO ESTABLISH, OPERATE AND MAINTAIN A DIALYSIS WARD
OR UNIT IN THEIR RESPECTIVE HOSPITAL AND PROVIDING FREE
DIALYSIS TREATMENT TO INDIGENT PATIENTS

EXPLANATORY NOTE

In a 2018 news report, The Department of Health (DOH) stated that one person dies every hour from kidney failure making it the ninth leading cause of death. Based on the data from the DOH's Philippine Network for Organ Sharing, close to 23,000 patients underwent dialysis treatment due to kidney failure in 2013, a huge jump from the 4,000 cases recorded in 2004. This figure, the DOH noted, does not include those suffering from kidney failure but who are not able to undergo dialysis treatment due to its high cost and inaccessibility especially in the rural areas. According to the International Diabetes Federation (IDF), it is estimated that around 5 million Filipinos are diagnosed with diabetes in 2018. A large number is also estimated to remain undiagnosed.

Patients from the provinces, who are suffering from kidney disorder, have to travel all the way to urban cities just to avail themselves of dialysis treatment, which is needed on a regular and sustained basis. The optimum frequency of dialysis is three times a week but because of its high cost and inaccessibility, some patients settle with less but with their health deteriorating more progressively. Worse, some patients have died without given a chance to undergo dialysis because they could not afford it.

In line with the government's efforts to reform the health sector and provide Filipinos with comprehensive health services, local government units must be tapped to make healthcare services more affordable and accessible. Thus, this bill requires

all national, regional and provincial government hospitals to establish, operate and maintain a dialysis ward or unit to ensure that dialysis treatment will be available, accessible and cost-effective especially to those living in the rural areas. Moreover, this bill requires that dialysis treatment be provided to indigent patients free of charge.

The aim of this bill is in consonance with the Constitutional mandate to make health services available to our countrymen at affordable cost. For more efficient delivery of healthcare services to the Filipino people, the immediate approval of this proposed measure is earnestly sought.



SONNY ANGARA

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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 "*Dialysis Center Act.*"
- 2 Sec. 2. *Declaration of Policy.* – It is the declared policy of the State to
- 3 improve the delivery of health care services to the people and to ensure hospital
- 4 facilities are available, affordable and accessible to the people.
- 5 Sec. 3. *Definition of Terms.* – For purposes of this Act, the following terms
- 6 shall mean:
- 7 a) *Secretary* refers to the Secretary of the Department of Health;
- 8 b) *National Government Hospital* refers to a hospital operated and maintained
- 9 either partially or wholly by the national government or by any department,
- 10 division, board or other agency thereof;
- 11 c) *Regional Government Hospital* refers to a hospital operated and maintained
- 12 either partially or wholly by the national government or by any department,
- 13 division, board or other agency thereof;
- 14 d) *Provincial Government Hospital* refers to a hospital operated and maintained
- 15 either partially or wholly by the provincial government or other political
- 16 subdivision, or by any department division, board or other agency thereof;
- 17 and

1 e) *Indigent Patient* refers to a patient who has no visible means of income,
2 compensation or financial assistance from his/her relatives to support his/her
3 basic needs, as determined by the Department of Social Welfare and
4 Development (DSWD).

5 *Sec. 4. Establishment, Operation and Maintenance of a Dialysis Ward or Unit.*

6 – Within two (2) years from the effectivity of this Act, all national, regional, and
7 provincial government hospitals are hereby required to establish, operate and
8 maintain a dialysis ward or unit in their hospital. The dialysis ward or unit shall be
9 equipped with complete dialysis machine, equipment and supplies.

10 *Sec. 5. Free Dialysis Treatment to Indigent Patients.* – Dialysis treatment in all
11 national, regional and provincial government hospitals shall be provided free of
12 charge to indigent patients as defined in Section 3 (e) hereof.

13 *Sec. 6. Penalty.* – Any hospital chief, administrator or officer-in-charge who
14 fails to comply with this Act shall be punished with a fine of Fifty Thousand Pesos
15 (P50,000.00) but not more than One Hundred Thousand Pesos (P100,000.00).

16 *Sec. 7. Implementing Rules and Regulations.* – The Secretary shall promulgate
17 the necessary rules and regulations to implement the provisions of this Act.

18 *Sec. 8. Appropriations.* – Such amount as may be necessary to implement the
19 provisions of this Act is hereby authorized to be appropriated from the National
20 Treasury. Thereafter, the amount necessary for the continuous implementation of
21 this Act shall be included in the government hospital's annual appropriations.

22 *Sec. 9. Separability Clause.* – If any provision or part hereof is held invalid or
23 unconstitutional, the remainder of the law or the provision not otherwise affected
24 shall remain valid and subsisting.

25 *Sec. 10. Repealing Clause.* – Any law, presidential decree or issuance,
26 executive order, letter of instruction, administrative order, rule or regulation contrary
27 to or inconsistent with the provisions of this Act are hereby repealed, modified or
28 amended accordingly.

29 *Sec. 11. Effectivity.* – This Act shall take effect fifteen (15) days after its
30 publication in the *Official Gazette* or in any two (2) newspapers of general circulation
31 in the Philippines.

Approved,