



SENATE

'19 JUL 18 P1:28

S. B. NO. 611

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Introduced by **SENATOR JOEL VILLANUEVA**

**AN ACT REQUIRING THE ESTABLISHMENT OF DIALYSIS
CLINICS IN ALL NATIONAL, REGIONAL AND PROVINCIAL
HOSPITALS AND PROVIDING FOR FREE DIALYSIS
TREATMENTS TO INDIGENT PATIENTS AND
APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

Dialysis is the process of removing waste products from the blood and removing excess fluid from the body. Patients undergoing dialysis suffers from End Stage Renal Disease (ESRD), largely caused by chronic hypertension and diabetes.

In the Philippines, it is estimated that there are around 28,000 patients undergoing dialysis treatment as of 2016. Kidney disease has also been identified as one of the top 10 causes of death in the Philippines.¹ It is also reported that the number of dialysis patients have also been steadily increasing at 10% to 15% annually.

In 2014, the Philippine Health Insurance Corporation (PhilHealth) paid a total of Php4.7 Billion arising from 691,489 claims for dialysis treatment.²

Considering the large number of patients who need to undergo dialysis treatment regularly, dialysis treatment centers should not only be accessible to these patients, but should also be affordable.

¹ What are the Leading Causes of Mortality in the Philippines? DOH. Retrieved from: <http://www.doh.gov.ph/node/1058> (date last accessed: July 9, 2019).

² 2015, June 26. PhilHealth Extends Dialysis Coverage to 90 Days. Retrieved from: https://www.philhealth.gov.ph/news/2015/extends_dialysis.html (date last accessed: July 9, 2019).

Unfortunately, a lot of kidney patients have to travel to nearby towns and cities to be able to get treatment. This situation is further exacerbated by the cost of dialysis treatments. Kidney patients normally has to undergo dialysis treatment two to three times a week, with one treatment costing around Php2,500. This means that a kidney patient has to spend around Php5,000 to Php7,500 per week to survive, not to mention the cost of the maintenance medicines that the patient has to take. While the Philippine Health Insurance Corporation (PhilHealth) has increased its coverage from 45 to 90 dialysis treatments, some, if not all, patients still have to pay for the treatment sessions outside of the 90 days.

Indeed, the accessibility of dialysis centers and the cost of treatments place a great burden on kidney patients, on top of battling their condition.

This bill mandates the establishment of dialysis centers in national, provincial and regional hospitals to ensure that all kidney patients can easily access these centers for their treatment without travelling far. This bill also recognizes the financial burden faced by dialysis patients and mandates that indigents shall be given free treatments in these centers.

The immediate passage of this bill is earnestly sought.




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PATIENTS AND APPROPRIATING FUNDS THEREFOR**

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

- 1 **SECTION 1. Declaration of Policy.** – It is hereby declared the policy of the
2 State to protect and promote the right to health of the people and instill health
3 consciousness among them. For this purpose, the State shall ensure that
4 patients suffering from End Stage Renal Disease are accorded timely and
5 appropriate treatment with the provision of accessible dialysis clinics and free
6 dialysis treatments.
7
8 **SEC. 2. Establishment of Dialysis Clinics in all National, Regional and**
9 **Provincial Hospitals.** – There shall be established dialysis clinics in all
10 national, regional and provincial hospitals in the country. The dialysis clinics
11 shall be equipped with sufficient machines, equipment, paraphernalia and
12 supplies and staffed with the appropriate number of medical and other
13 personnel, including a dietician who shall recommend the appropriate diet to
14 each patient depending on the condition of the patient.
15
16 The Department of Health (DOH), in coordination with local government units
17 and other relevant government agencies, shall lead the establishment of
18 these clinics.
19
20 **SEC. 3. Free Dialysis Treatment to Indigent Patients.** – The DOH, in
21 coordination with the Philippine Health Insurance Corporation, shall ensure
22 that indigent patients are accorded free dialysis treatments in national,
23 regional or provincial hospitals. For this purpose, “indigent patient” refers to a
24 patient who has no visible means of income, or whose income is insufficient

1 for the subsistence of his family, as identified by the Department of Social
2 Welfare and Development (DSWD).
3

4 **SEC. 4. Authority to Receive Donations and Exemption from Donor's**
5 **Taxes, Customs and Tariff Duties.** – The DOH shall have the authority to
6 receive donations, gifts and bequests in order to augment the funding for the
7 establishment of the dialysis clinics created in accordance with this Act. All
8 donations, contributions or endowments which may be made by persons or
9 entities to the dialysis clinics in national, regional and provincial hospitals and
10 the importation of medical equipment and machineries, spare parts and other
11 medical equipment used solely and exclusively by the dialysis clinics shall be
12 exempt from income or donor's taxes, any other direct or indirect taxes,
13 wharfage fees and other charges and restrictions.
14

15 **SEC. 5. Implementing Rules and Regulations.** – Within sixty (60) days from
16 the implementation of this Act, the Department of Health, upon consultation
17 with relevant stakeholders, shall issue the implementing rules and regulations
18 to implement the provisions of this Act.
19

20 **SEC. 6. Appropriations.** – An initial amount of One Billion Pesos
21 (P1,000,000,000.00) shall be appropriated for the implementation of this Act.
22 Thereafter, the necessary fund for the proper implementation of this Act shall
23 be included in the annual General Appropriations Act.
24

25 **SEC. 7. Repealing Clause.** – All laws, decrees, executive orders, rules and
26 regulations or part thereof deemed inconsistent with the provisions of this Act
27 are hereby repealed or modified accordingly.
28

29 **SEC. 8. Effectivity Clause.** – This Act shall take effect fifteen (15) days from
30 the publication in the Official Gazette or in at least two (2) national
31 newspapers of general circulation.

32 **Approved,**

33