

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

SECRETARY

7 SEP -3 2007

SENATE
P.S.R. No. 115

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED PLAN OF PRIVATE HOSPITALS TO HOLD A "HOSPITAL HOLIDAY," ALLEGEDLY DUE TO THE FAILURE OF GOVERNMENT TO PROTECT THEM FROM THE NON-PAYMENT OF HOSPITAL BILLS BY PATIENTS

WHEREAS, the Constitution, Article 2, Section 15, provides that "The State shall protect and promote the right to health of the people and instil health consciousness among them";

WHEREAS, the Constitution, Article 2, Section 20, also states that "The State recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments";

WHEREAS, the Constitution, Article 13, Section 11, likewise provides that "The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the under-privileged, sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers";

WHEREAS, Republic Act No. 9439, otherwise known as An Act Prohibiting the Detention of Patients in Hospitals and Medical Clinics on Grounds of Nonpayment of Hospital Bills or Medical Expenses, prevents private hospitals from detaining patients for unpaid bills; under the law, officers of medical institutions are prohibited from preventing patients from leaving the hospital or refusing them medical certificates over unpaid bills as long as patients issue a promissory note to pay;

WHEREAS, the *Philippine Daily Inquirer*, in a 31 August 2007 article entitled "Hospitals to go ahead with holiday," reported that private hospitals will hold a "holiday" starting next month to express disappointment over the supposed failure of the government to come up with measures to protect them from bankruptcy in light of a law preventing them from detaining patients for unpaid bills;

WHEREAS, the spokesperson of the Private Hospitals Association of the Philippines (PHAP) reportedly said that the group's member-hospitals plan to hold a regular boycott until 2008, if the government fails to repeal or come up with reasonable implementing rules and regulations (IRR) for R.A. No. 9439;

WHEREAS, the spokesperson also reportedly claimed that the hospital "holiday" is meant to emphasize the need to ensure that private hospitals have sufficient funds to continue operating, and to show lawmakers the urgency of the private hospitals' concern over R.A. No. 9439;

WHEREAS, PHAP, which has some 700 member-hospitals nationwide, including prominent ones like St. Luke's Medical Center and the Makati Medical Center, allegedly

informed Health Secretary Francisco Duque III, in a dialogue three months ago, that 35 hospitals alone already have a combined P300 million worth of unpaid bills by patients who signed promissory notes; St. Luke's allegedly has the same amount of unpaid bills for the same period;

WHEREAS, Secretary Duque reportedly appealed to PHAP not to push through with the "hospital holiday" because it would be detrimental to the public; he also pointed out that private hospitals were getting sufficient funds from Philhealth, with 70 percent of Philhealth reimbursements going to private hospitals, and only 30 percent going to government hospitals;

WHEREAS, PHAP reportedly has not yet to decided on the date of the first "holiday" and how many days in a month this would be implemented; PHAP also reportedly gave the assurance that hospitals would attend to emergency cases, such as birth deliveries and accidents, even during the "holiday," but not to procedures such as liposuction or medical check-ups;

WHEREFORE, be it hereby resolved by the Philippine Senate, to direct the proper Senate committee to conduct an inquiry, in aid of legislation, on the reported plan of private hospitals to hold a "hospital holiday," allegedly due to the failure of government to protect them from the non-payment of hospital bills by patients.

Adopted,


MIRIAM DEFENSOR SANTIAGO
/s/

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