

THIRTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
THIRD REGULAR SESSION)

6 SEP -5 11:41

SENATE

RECEIVED BY: 

S.B. No. 2454

Introduced by **SENATOR ALFREDO S. LIM**

EXPLANATORY NOTE

Because of severe economic hardship resulting in the high cost of medical facilities and services, many of those who seek hospital confinement and treatment are unable to settle their bills with promptitude. Some hospitals, wary of the problems of not getting paid, unscrupulously hold hostage patients in their hospitals until and unless the relatives are able to pay the bills. Meantime, the bills continue to pile up as the patient remains in confinement.

The same is true with funeral parlors or morgues who refuse to release the bodies of persons on whom they had performed mortuary services including burial, because of the relatives' failure to settle the fees charged by mortuaries.

Poverty should not be a reason to detain or hold hostage patients or cadavers, if only to show respect for human beings and for the government to come to the aid of these financially distressed families who can ill-afford reasonable hospital services, or mortuaries to provide decent care and services to dead bodies which equally deserve respect and honor.


Hence, it is the bill's purpose to put a stop to the immoral and inhuman practice of hospitals or funeral parlors in using persons or dead bodies as hostages just to be able to compel the relatives to pay them for what they claim.


ALFREDO S. LIM
Senator

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AN ACT
PENALIZING HOSPITALS AND FUNERAL PARLORS
FOR HOSTAGING PATIENTS OR CADAVERS

Be it enacted by the Senate and the House of Representative of the
Philippines In Congress assembled:

1 SECTION 1. *Prohibited Acts Affecting Patients.* – It shall be
2 unlawful for hospitals, lying in, medical clinics or infirmaries
3 involved in providing care and treatment of patients, to take
4 hostage, custody or detain any patient, or refuse to release or
5 discharge him by reason of his failure or inability to pay in full his
6 medical bills incurred for confinement, operation or for doctors' fees,
7 or other expenses chargeable to him for his confinement and
8 treatment, when such patient is already entitled or eligible for
9 release or discharge except for his unpaid bills; provided, however,
10 that said hospitals, lying in, medical clinics or infirmaries shall not
11 be obligated to retain or maintain in confinement such patients
12 even if the illness or ailment shall not have been fully treated.

13 SECTION 2. *Prohibited Acts on Cadavers.* – It shall be
14 unlawful for funeral parlors, morgues or mortuaries or those
15 involved in the handling of dead bodies for temporary lodging or

1 viewing during the wake or providing coffins and related services,
2 to take hostage, custody or detain any cadaver or dead body, or
3 refuse to release or discharge the same by reason of such dead
4 bodies' living relatives' failure or inability to pay in full its expenses
5 for mortuary or those chargeable to it for its burial.

6 Section 3. *Conditions for Release/Discharge of Patient or*
7 *Cadaver.* – Before a patient who is due for release or discharge but
8 is unable to immediately pay in full his obligation to a hospital or
9 doctors' expense, is discharged or released, he may be required to
10 execute, by himself or with the assistance of his relatives, an
11 acknowledgement of the full amount of his indebtedness to the
12 hospital and his doctors and undertaking to pay his bills at a fixed
13 period of time.

14 In the case of a dead body or cadaver, the acknowledgment
15 and undertaking shall be executed by any of its relatives or next of
16 kin or whoever shall voluntarily assume the liability of the cadaver's
17 relatives' obligation.

18 Section 4. *Violator of this Act, punishable under Art. 268 of*
19 *the Revised Penal Code; Persons liable.* – Any person, corporation
20 or business firm or entity found violating Sections 1 or 2 hereof
21 shall be punished under Art. 268 of the Revised penal Code;
22 provided, however, in case of a corporation, partnership or any
23 business firm or entity, the owners, directors, general manager or

1 chief executive officer and treasurer shall be personally liable for
2 such violation.

3 Section 5. Effectivity. – This Act shall take effect fifteen (15)
4 days after its publication in a newspaper of general circulation.

5 Approved.