

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

SENATE
OFFICE OF THE SECRETARY

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SENATE

S. NO. 184

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE


The Constitution puts emphasis on an integrated and comprehensive approach to health development that endeavors to make essential goods, health and other social services available to all the people at affordable cost. It stated that the needs of the under-privileged, sick, elderly, disabled, women, and children should be prioritized.

The PCSO, with its mandate to raise and provide funds for health programs, medical assistance and services, and charities of national character, has been stretching its resources particularly to purchase ambulance units. These units are intended to be donated to hospitals, local government units (LGUs), government agencies, non-government organizations (NGOs) and non-government health institutions/center.¹ Being able to transport seriously sick or injured patients who are in need of immediate medical treatment to a medical facility, ambulances have played a vital role in the society.

However, it has been observed that government ambulances are often misused to the detriment of the public. With this kind of situation, the very purpose of government ambulances is obviously defeated. In result, sick constituents are deprived of their use as they are often unavailable when the need arises.

This bill aims to prevent abuses in the use of government ambulances and to ensure that these emergency vehicles are available to respond to emergencies at any time without discrimination.

In view of the foregoing, the immediate approval of this bill is earnestly recommended,



ANTONIO "SONNY" F. TRILLANES IV
Senator

¹ Health Committee hears briefing by DOH, PCSO. Data retrieved at www.congress.gov.ph on 16 February 2009

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AN ACT
REGULATING THE USE OF GOVERNMENT AMBULANCES, PROVIDING
PENALTIES THEREFOR AND FOR OTHER PURPOSES

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

1 **SECTION 1. *Definition of Terms.*** - As used in this Act, the following terms
2 shall mean:

3 a) "Government ambulance" refers to a vehicle equipped with emergency
4 life-saving devices and equipment and properly designated as such, used to carry
5 or transport seriously sick or injured persons or patients in emergency situations
6 requiring immediate medical treatment to a medical facility or from one medical
7 facility to another; or for diagnostic, therapeutic or rehabilitative treatment where,
8 by the nature of the patient's sickness or injury, conveyance by ambulance is
9 necessary. It may be acquired using government funds or donated for government
10 use, regardless of source;

11
12 b) "Emergency" refers to a condition or state of patient wherein, based on the
13 objective findings of a prudent medical officer on duty for the day, there is
14 immediate danger on the life of the patient where delay in initial support and
15 treatment may cause loss of life or permanent disability to the patient.

16
17 **SEC. 2. *Joint Custody of Government Ambulances Assigned or Donated to***
18 ***Local Government Units.*** - Any government ambulance assigned or donated to local
19 government units shall be under the joint custody of the local chief executive and the
20 health officer concerned. Each shall be jointly liable for any violation of the provisions of
21 this Act committed by the other.

1 Upon the end of the local chief executive's term of office or in case he is
2 disqualified or removed from office for whatever cause, he shall turn over the custody of
3 the ambulance to the proper authority within fifteen (15) days from his last day in office.
4 In the same manner, in case the health officer of the local government unit retires, is
5 separated or disqualified from office, he shall turn over the said custody to the proper
6 authority within fifteen (15) days from his last day in office.

7
8 **SEC. 3. Duties of Local Chief Executive. –**

9 a) It shall be the duty of any local chief executive having temporary
10 custody of any government ambulance, donated or otherwise, to deliver or cause
11 the delivery of the same to the intended beneficiary without unnecessary delay.

12 (b) It shall also be the duty of local chief executives assigned with any
13 government ambulance to appoint at least one (1) regular driver for each
14 ambulance and ensure that a sufficient amount for gasoline and the maintenance
15 of their ambulance is appropriated every year.

16
17 **SEC. 4. Repealing Clause. - Prohibited Acts. -** The following acts are hereby
18 prohibited:

19 a) It shall be unlawful for any public official or employee to use any
20 government ambulance as office service vehicle, for recreation or for personal use
21 or for any other purpose whatsoever inconsistent with the purposes of a
22 government ambulance as defined in Section 1 of this Act;

23 b) It shall be unlawful for any public official or employee to use any
24 government ambulance in the transportation of patients not in emergency situation
25 unless another ambulance is available to respond to any emergency; or when no
26 other means of transportation is available which non-availability is jointly
27 certified under oath by the patient or any of his/her relatives or guardians and the
28 responsible officer-in-charge of the ambulance other than the driver; or when the
29 nature of the patient's sickness or injury, though not life threatening, makes
30 necessary his/her transportation by ambulance;

31 c) It shall be unlawful for any public officer or employee to allow the use of
32 any government ambulance by individuals or entities for private use, whether or
33 not for a fee;

34 d) It shall be unlawful for any public officer or employee to refuse the use of
35 any government ambulance by any patient entitled to the use of the same as

1 provided in this Act due to the patient's inability to pay any fee collected for its
2 use; or discriminate in its use on account of religious beliefs, gender, economic
3 status, political affiliations or whatever cause contrary to law, public policy or
4 good customs;

5 e) It shall be unlawful for any public officer or employee to paint over or
6 allow the painting over of any government ambulance to circumvent the
7 provisions of this Act; and

8 f) It shall be unlawful to use deceptive measures such as sirens or printing
9 the word "ambulance" on the vehicle's body of any privately-owned or
10 government-owned vehicle to make it appear as an ambulance.

11
12 **SEC. 5. *Exceptions to the Prohibited Acts.*** -- The provisions of
13 Section 4 notwithstanding, the following use of any government ambulance in
14 nonemergency cases may be allowed:

15 a) Medical outreach missions; and

16 b) Other activities strictly and solely related to hospital operations.

17
18 **SEC. 6. *Penalty Clause.*** - Violations of Section 2, paragraph 2 hereof shall
19 be punished by perpetual disqualification from public service with forfeiture of
20 retirement benefits. Violations for Section 3 and any of the prohibited acts
21 enumerated in Section 4 hereof shall be penalized by suspension from office
22 without pay for thirty (30) days for the first offense; six (6) months without pay
23 for the second offense; and termination from service with forfeiture of retirement
24 benefits and perpetual disqualification from public service for the third offense.

25 If any violation of any of the prohibited acts be committed with the
26 knowledge or participation of the local chief executive and/or the responsible
27 health officer in case of local government units or the head of hospital in case of
28 government hospitals, the said officials shall also be penalized with the same
29 penalty provided in this Act for the offense.

30
31 **SEC. 7. *Implementing Rules and Regulations.*** - The Secretary of the Interior and
32 Local Government, in consultation with the secretaries of Health and Transportation and
33 Communications and concerned sectors, shall issue such guidelines, orders or rules and
34 regulations as may be necessary to carry out the provisions of this Act.

1 **SEC. 8. *Separability Clause.*** - If any provision of this Act shall at any time be
2 found to be unconstitutional or invalid, the remainder thereof not affected by such
3 declaration shall remain in full force and effect.

4
5 **SEC. 9. *Repealing Clause.*** - All laws, decrees, rules or regulations inconsistent
6 with the provisions of this Act are hereby repealed or modified accordingly.

7
8 **SEC. 10. *Effectivity Clause.*** - This Act shall take effect after fifteen (15) days
9 following its complete publication in two (2) newspapers of general circulation.

Approved,