

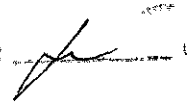
FOURTEENTH CONGRESS of the)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

8 JUL -2 2010

SENATE



RECEIVED BY: _____



S.B. No. 2423

Introduced by HON. RAMON BONG REVILLA, JR.

EXPLANATORY NOTE

It is enshrined in our Constitution 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 people at affordable cost. It shall prioritize the needs of the underprivileged sick, elderly, disabled, women and children and to provide free medical care to paupers.

In line with this mandate, the present government undertakes to upgrade its hospitals, open accessibility to health services, promote proper health-related consciousness programs, acquire state-of-art medical equipment, and provide a number of ambulances for the community.

It is a common knowledge that ambulance is primarily intended to transport seriously sick, injured patients or in emergencies requiring immediate medical treatment to and from a medical institution. However, it is observed that government ambulances are often seen in other places being used for other activities other than of which it is intended. By doing so, the public is deprived of the immediate medical attention especially in emergency cases.

The purpose of this proposed measure is to prevent abuses in the use of government ambulances and to save life as well.

In view of the foregoing, passage of this bill is earnestly sought.



RAMON BONG REVILLA, JR.

FOURTEENTH CONGRESS of the)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

8 JUL -2 10:10

SENATE



RECEIVED BY: _____

S.B. No. 2423

Introduced by HON. RAMON BONG REVILLA, JR.

**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:*

SECTION 1. Declaration of Policy. - It is hereby a declared policy of the State that it shall endeavor to provide health and other social services available to all people for free or at an affordable cost.

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

- (a) **Government ambulance** - refers to a vehicle equipped with emergency life-saving devices and equipment and properly designated as such, use to carry or transport seriously sick or injured persons or patients in emergency situations requiring immediate medical treatment to a medical facility or from one medical facility to another; or for diagnostic or therapeutic treatment where, by the nature of the patient's sickness or injury, conveyance by ambulance is necessary. These vehicles are acquired using government funds or donated for government use, regardless of its source.

- (b) **Emergency** - refers to a condition or state of patient wherein based on the objective findings of a prudent medical officer on duty for the day, there is

immediate danger on the life of the patient where delay in initial support and treatment may cause loss of life or permanent disability to the patient.

SECTION 3. Custody of government ambulances assigned or donated to local government units. - Any government ambulance assigned or donated to local government units shall be under the custody of the local chief executive or in his absence, the health officer concerned as his authorized representative.

Upon the end of the local chief executive's term of office or in case he is disqualified or removed from office for whatever cause, he shall turn over the custody of the ambulance to the proper authority within fifteen days from his last day in office.

SECTION 4. Duties of the local chief executive. - (a) It shall be the duty of any local chief executive having temporary custody of any government ambulance, donated or otherwise, to deliver or cause the delivery of the same to the intended beneficiary without unnecessary delay.

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

SECTION 5. Prohibited Acts. - The following acts are hereby prohibited:

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

(b) It shall be unlawful for any public official or employee to use any government ambulance in the transportation of patients not in emergency situation unless another ambulance is available to respond to any emergency; or when no other means of transportation is available which non-availability is jointly certified under oath by the patient or any of their relatives or guardians and the responsible officer in charge of the ambulance other than the driver; or when the

nature of the patient's sickness or injury, though not life threatening, makes necessary his/her transportation by ambulance;

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

(d) It shall be unlawful for any public officer or employee to refuse the use of any government ambulance by any patient entitled to the use of the same as provided in this Act due to the patient's inability to pay any fee collected for its use; or discriminate in its use on account of religious beliefs, gender, economic status, political affiliations or whatever cause contrary to law, public policy or good customs;

(e) It shall be unlawful for any public officer or employee to paint over or allow the painting over of any government ambulance to circumvent the provisions of this Act.

SECTION 6. Exceptions to the prohibited acts. - The provisions of Section 5 notwithstanding, the following use of any government ambulance in non-emergency cases may be allowed:

- (a) Medical outreach missions; and
- (b) Other related hospital operations.

SECTION 7. Penalty Clause. - Violations of second paragraph of Section 3 hereof shall be punished by a fine of Ten Thousand Pesos (P10,000.00) only.

Moreover, violations of Section 4 and any of the prohibited acts enumerated in Section 5 hereof shall be penalized by suspension from office for ten days for the first offense; suspension for one (1) month for the second offense; and suspension for six (6) months and a fine of Fifty Thousand Pesos (P50,000.00) only for the third offense.

If the violation of any of the prohibited acts be committed with the knowledge or participation of the local chief executive and/or the responsible health officer in case of local government units or the head of hospital in case of

government hospitals, the said officials shall also be penalized with the same penalty provided in this Act.

SECTION 8. Implementing Rules and Regulations. - The Secretary of the Department of the Interior and Local Government, in consultation with the Secretaries of the Department of Health and the Department of Transportation and Communications and concerned sectors shall issue such guidelines, orders or rules and regulations as may be necessary to carry out the provisions of this Act.

SECTION 9. Separability Clause. - If any provision of this Act or the application of such provision to any person or circumstance is declared unconstitutional, the remainder of this Act or the application of such provision to other persons or circumstances shall not be affected by such declaration.

SECTION 10. Repealing Clause. - All laws, orders, decrees, proclamations, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 11. Effectivity Clause. - This Act shall take effect after fifteen (15) days following the completion of its publication in the *Official Gazette*, or in a newspaper of general circulation in the Philippines.

Approved,