

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 391



Introduced by HON. MA. LOURDES T. ARROYO

EXPLANATORY NOTE

It is the declared policy of the State to protect and promote the right to health of the people and instill health consciousness among them.

The Department of Health (DOH) and the National Kidney and Transplant Institute (NKTI) have identified renal disease as one of the top ten causes of death among Filipinos. One Filipino develops chronic renal failure every hour, translating to about 120 Filipinos per million population per year.

Dialysis patients need to get two to three treatments a week that will cost them about Php 20,000 to Php 30,000 per month. Cost of dialysis treatment for End Stage Renal Disease (ESRD) patients is usually exorbitant and beyond reach of most patients. Renal transplant on the other hand is costly and limited due to the shortage of donors.

Accessibility and availability of dialysis centers in the country remains limited. Advanced hospital and medical equipment and facilities are mostly found in highly urbanized cities. ESRD patients from rural areas have to travel all the way to these urban cities just to receive the medical treatment they need. However, in cases of indigent ESRD patients, they hardly even get a session of dialysis.

Aligned with the government's mandate to provide Filipinos with comprehensive health services, this proposed measure seeks to require all national, regional, and provincial government hospitals to establish, operate and maintain a dialysis ward or unit and provide free dialysis treatment to indigent patients.

This provides more efficient delivery of health care services to our people and alleviates the financial burden of our indigent patients undergoing dialysis treatment.

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

Ma. Lourdes T. Arroyo
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Introduced by **HON. MA. LOURDES T. ARROYO**

**AN ACT REQUIRING ALL NATIONAL, REGIONAL, AND PROVINCIAL
GOVERNMENT HOSPITALS TO ESTABLISH, OPERATE AND MAINTAIN A
DIALYSIS WARD OR UNIT AND PROVIDING FREE DIALYSIS
TREATMENT TO INDIGENT PATIENTS**

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

SECTION 1. *Short Title.* – This Act shall be known as the “Dialysis Center Act.”

SEC. 2. *Declaration of Policy.* - It is the declared policy of the State to improve the delivery of health care services to the people and to ensure hospital facilities are available, affordable and accessible to the people.

SEC. 3. *Definition of Terms.* – For purposes of this Act, the following terms shall mean:

- a) *National Government Hospital* – shall refer to a hospital operated and maintained either partially or wholly by the national government or by any department, division, board or other agency thereof.
- b) *Regional Government Hospital.* - shall refer to a hospital operated and maintained either partially or wholly by the national government or by any department, division, board or other agency thereof.
- c) *Provincial Government Hospital.* - shall refer to a hospital operated and maintained either partially or wholly by the provincial government or by any department, division, board or other agency thereof.
- d) *Indigent patient* – shall refer to a patient who have no visible means of income, or whose income is insufficient for family subsistence, as identified by the Department of Social Welfare and Development.

SEC. 4. *Establishment , Operation and Maintenance of a Dialysis Ward or Unit.* – Within two (2) years from the effectivity of this Act, all national, regional, and provincial

government hospitals are hereby required to establish, operate and maintain a dialysis ward or unit in their hospitals. The dialysis ward or unit shall be equipped with complete dialysis machine, equipment and supplies.

SEC. 5. *Free Dialysis Treatment to Indigent Patients.* - Dialysis treatment in all national, regional and provincial government hospitals shall be provided free of charge to indigent ESRD patients. This free dialysis treatment is on top of the 90 free dialysis sessions covered by PhilHealth.

SEC. 6. *Penalty.* - Any hospital chief, administrator or officer-in-charge who fails to comply with this Act shall be punished with a fine of Two Hundred Fifty Thousand Pesos (Php 250,000) but not more than Five Hundred Thousand Pesos (Php 500,000).

SEC. 7. *Implementing Rules and Regulations.* - The Secretary of the Department of Health shall promulgate the rules and regulations necessary for the effective implementation of this Act.

SEC. 8. *Appropriations.* - Such amount as may be necessary to implement the provisions of this Act is hereby authorized to be appropriated from the National Treasury. Thereafter, the amount necessary for the continuous implementation of this Act shall be included in the government hospital's annual appropriations.

SEC. 9. *Separability.* - if any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 10. *Repealing Clause.* - All laws, decrees, orders, rules and regulations, or part thereof inconsistent with the provisions of this Act are hereby deemed repealed or modified accordingly.

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

Approved,