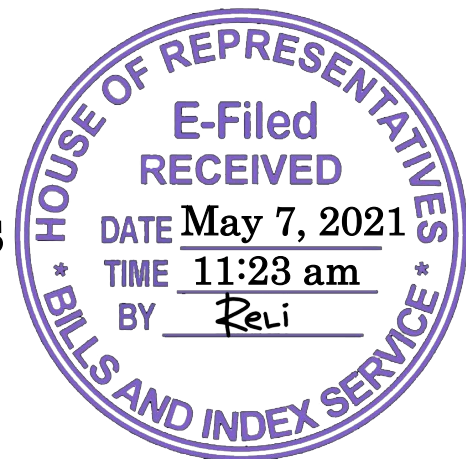


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 9310



Introduced by Representative Deputy Speaker
Michael L. Romero

EXPLANATORY NOTE

Under Sec. 15, Article I of the 1987 Philippine Constitution, it is specifically provided that it is the policy of the State to promote and protect the right to health of the people. Furthermore, under Sec. 11, Article XIII of the 1987 Philippine Constitution, it is specifically provided that the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make health services available to all the people at affordable cost.

On 15 April 2021, the Philippine Health Insurance Corporation (PhilHealth) its new case rate packages for COVID-19 patients¹, it states that the PhilHealth will cover the following expenses: for cases with mild pneumonia Forty-Three Thousand Nine Hundred Ninety-Seven Pesos (P43,997.00); for cases moderate pneumonia for One Hundred Forty-Three Thousand Two Hundred Sixty-Seven Pesos (P143,267.00); for cases with severe pneumonia for Three Hundred Thirty-Three Thousand Five Hundred Nineteen Pesos (P333,519.00); and for cases with critical pneumonia for Seven Hundred Eight-Six Thousand Three Hundred Eighty-Four Pesos (P786,384.00).

¹ PhilHealth, PhilHealth guarantees continuing coverage for Covid-19 patients *available at* https://www.philhealth.gov.ph/news/2020/cont_coverage.php (last accessed on 03 May 2021).

Other governmental institutions, such as but not limited to Local Government Units (LGUs), has also provided their own COVID-19 subsidies based on their respective financial capabilities.

Clearly though, the aforementioned coverage from the PhilHealth and subsidies by other governmental institutions is not enough and our countrymen still needs to shell out substantial amounts to cover their medical care bill. Various reports show that the medical expenses of COVID-19 Positive Filipinos can easily go over One Million Pesos (P1,000,000.00)² thereby placing financial hardships to COVID-19 Positive Filipinos and their families who has already been struck by the deadly pandemic.

Therefore, for humanitarian purposes and in order to ease the burden of payment that our countrymen has to endure in these most trying of times the immediate passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'Michael L. Romero', is written over a horizontal dashed line.

MICHAEL L. ROMERO
Representative – Deputy Speaker
1-PACMAN Party List

² Inquirer, Survivor's fight vs COVID-19 took 18 days, cost over P1M *available at* <https://newsinfo.inquirer.net/1259436/survivors-fight-vs-covid-19-took-18-days-cost-over-p1m> (last accessed on 03 May 2021).

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AN ACT
GRANTING A 12-MONTH AMORTIZATION PLAN FOR COVID-19 POSITIVE
FILIPINOS WHO HAVE INCURRED MEDICAL AND HOSPITALIZATION
CHARGES ON PRIVATE OR PUBLIC HOSPITALS.

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

Section 1. Short Title. - This Act shall be referred to as the "**PATAK PATAK COVID-19 HOSPITALIZATION PAYMENT PLAN**".

Sec. 2. Declaration of Policy. – Sec. 15, Article I of the 1987 Philippine Constitution, provides that it is the policy of the State to promote and protect the right to health of the people. Furthermore, Sec. 11, Article XIII of the 1987 Philippine Constitution, provides that the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make health services available to all the people at affordable cost.

Sec. 3. Definition of Terms. – For purposes of this Act, the following terms shall be defined as stated below:

- a. **COVID-19** refers to a disease caused by a new strain of coronavirus. ‘CO’ stands for corona, ‘VI’ for virus, and ‘D’ for disease. Formerly, this disease was referred to as ‘2019 novel coronavirus’ or ‘2019-nCoV.’ The COVID-19 virus is a new virus linked to the same family of viruses as

Severe Acute Respiratory Syndrome (SARS) and some types of common cold³.

- b. **COVID-19 RT-PCR Test** refers to a real-time reverse transcription polymerase chain reaction (rRT-PCR) test for the qualitative detection of nucleic acid from SARS-CoV-2 in upper and lower respiratory specimens (nasopharyngeal or oropharyngeal swabs, sputum, lower respiratory tract aspirates, bronchoalveolar lavage, and nasopharyngeal wash/aspirate) collected from individuals suspected of COVID-19 by their healthcare provider (HCP), as well as upper respiratory specimens (nasopharyngeal or oropharyngeal swabs, anterior nasal swabs, or mid-turbinate swabs) collected from any individual, including individuals without symptoms or other reasons to suspect COVID-19⁴.
- c. **COVID-19 Positive Filipinos** refers to any and all Filipino Citizens who, after a COVID-19 RT-PCR Test, yields a positive result.
- d. **Health Care Service Providers** refers to any and all medical professionals and their medical facilities used for the care of patients.

Sec. 4. Scope and Application. – This Act shall apply to all Filipinos who has or will contract COVID-19, as verified by a COVID-19 RT-PCR Test, and all health care service providers, whether private or public, charged with the care of COVID-19 Positive Filipinos.

Sec. 5. COVID-19 Medical and Hospitalization Charges Intervention. – Pursuant to Sec. 23 (2), Article VI of the 1987 Constitution, the President is hereby authorized to exercise powers that are necessary and proper to carry out the declared national policy. The President shall have the power to adopt the following intervention to respond to the crisis brought by the pandemic:

- a. Direct all health care service providers, whether private or public, to implement a minimum of twelve (12) month amortization plan for the medical and hospitalization charges incurred by COVID-19 Positive Filipinos which are not covered by the following:
 - (1) COVID-19 coverage provided by the PhilHealth; *and if any*
 - (2) Other subsidies provided by other governmental institutions.

³World Health Organization (WHO), Key Messages and Actions for COVID-19 Prevention and Control in Schools available at https://www.who.int/docs/default-source/coronaviruse/key-messages-and-actions-for-covid-19-prevention-and-control-in-schools-march-2020.pdf?sfvrsn=baf81d52_4#:~:text=COVID%2D19%20is%20a,2019%2DnCoV. (last accessed on 03 May 2021).

⁴ United States of America Food and Drug Administration, EMERGENCY USE AUTHORIZATION (EUA) SUMMARY COVID-19 RT-PCR TEST (LABORATORY CORPORATION OF AMERICA) available at <https://www.fda.gov/media/136151/download> (last accessed on 03 May 2021).

Sec. 6. Penalty Clause. - Any violation of any and all health care service providers of the provisions of this Act, after due notice and hearing, shall be punished by a fine of Two Hundred Thousand Pesos (P200,000.00) for each count, and suspension of their contract and/or accreditation up to three (3) months or the remaining period of its contract and/or accreditation whichever is shorter, or both, at the discretion of the PhilHealth, taking into consideration the gravity of the offense.

The same shall also constitute a criminal violation punishable by imprisonment for six (6) months and one (1) day up to six (6) years, upon discretion of the court without prejudice to criminal liability defined under the Revised Penal Code.

Sec. 7. Separability Clause. - If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

Sec. 8. Repealing Clauses. - Any law, presidential decree or issuance, executive order, letter of instruction, rule or regulation inconsistent with the provisions of this Act is hereby repealed or modified accordingly.

Sec. 9. Effectivity Clause. - This Act shall take effect fifteen (15) days following its complete publication in the Official Gazette or a newspaper of general circulation.

Approved,