

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



'22 JUL 12 A10 :20

SENATE
S. B. No. 321

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Introduced by Senator SONNY ANGARA

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

EXPLANATORY NOTE

Kidney failure has become the 10th leading cause of death in the Philippines and is one of the leading causes of hospitalization. In fact, based on the data from the University of the Philippines (UP), around 35,000 Filipinos needed dialysis treatment in 2020 with a 15% increase in cases every year. Experts have also pointed out that a significant factor for patients dying due to this illness is because of missed dialysis treatments.

Patients from the provinces, who are suffering from kidney disorder, have to travel all the way to urban cities just to avail themselves of dialysis treatment, which is needed on a regular and sustained basis. This challenge was even aggravated when the COVID-19 pandemic hit the country which forced the government to implement massive lockdowns. While the Philippine Health Insurance Corporation (PhilHealth) has expanded the coverage of dialysis treatment from 90 to 144 sessions in 2021, there are still added costs in accessing these treatments such as food and transportation expenses. Moreover, since the treatment must be availed three times a week or around 156 sessions in a year, Filipinos suffering from renal failure must cover for the remaining sessions which cost around P4,500 per session on average.

In line with the government's efforts to reform the health sector and provide Filipinos with comprehensive health services, local government units must be tapped to make healthcare services more affordable and accessible. Thus, this bill requires all national, regional and provincial government hospitals to establish, operate and maintain a dialysis ward or unit to ensure that dialysis treatment will be available, accessible and cost-effective especially to those living in the rural areas. Moreover, this bill requires that dialysis treatment be provided to indigent patients free of charge.

The aim of this bill is in consonance with the Constitutional mandate to make health services available to our countrymen at affordable cost. For more efficient delivery of healthcare services to the Filipino people, the immediate approval of this proposed measure is earnestly sought.

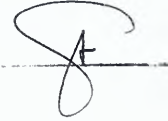


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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

- 1 **Section 1. Short Title.** – This Act shall be known as the "*Dialysis Center Act.*"
- 2 **Sec. 2. Declaration of Policy.** – It is the declared policy of the State to
- 3 improve the delivery of health care services to the people and to ensure hospital
- 4 facilities are available, affordable and accessible to the people.
- 5 **Sec. 3. Definition of Terms.** – For purposes of this Act, the following terms
- 6 shall mean:
- 7 a) *National Government Hospital* refers to a hospital operated and maintained
- 8 either partially or wholly by the national government or by any department,
- 9 division, board or other agency thereof;
- 10 b) *Regional Government Hospital* refers to a hospital operated and maintained
- 11 either partially or wholly by the national government or by any department,
- 12 division, board or other agency thereof;
- 13 c) *Provincial Government Hospital* refers to a hospital operated and maintained
- 14 either partially or wholly by the provincial government or other political
- 15 subdivision, or by any department division, board or other agency thereof; and
- 16 d) *Indigent Patient* refers to a patient who has no visible means of income,
- 17 compensation or financial assistance from his/her relatives to support his/her

1 basic needs, as determined by the Department of Social Welfare and
2 Development (DSWD).

3 **Sec. 4. Establishment, Operation and Maintenance of a Dialysis Ward**
4 **or Unit.** – Within two (2) years from the effectivity of this Act, all national, regional,
5 and provincial government hospitals are hereby required to establish, operate and
6 maintain a dialysis ward or unit in their hospital. The dialysis ward or unit shall be
7 equipped with a complete dialysis machine, equipment and supplies.

8 **Sec. 5. Free Dialysis Treatment to Indigent Patients.** – Dialysis treatment
9 in all national, regional and provincial government hospitals shall be provided free of
10 charge to indigent patients as defined in Section 3 (e) hereof.

11 **Sec. 6. Penalty.** – Any hospital chief, administrator or officer-in-charge who
12 fails to comply with this Act shall be punished with a fine of Fifty Thousand Pesos
13 (P50,000.00) but not more than One Hundred Thousand Pesos (P100,000.00).

14 **Sec. 7. Implementing Rules and Regulations.** – The Department of Health
15 (DOH), in coordination with concerned agencies and stakeholders, shall promulgate
16 the necessary rules and regulations to implement the provisions of this Act within sixty
17 (60) days from its date of effectivity: *Provided*, That the failure of the promulgation of
18 the said rules and regulations shall not prevent the implementation of this Act upon its
19 effectivity.

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

24 **Sec. 9. Separability Clause.** – If any provision or part hereof is held invalid
25 or unconstitutional, the remainder of the law or the provision not otherwise affected
26 shall remain valid and subsisting.

27 **Sec. 10. Repealing Clause.** – Any law, presidential decree or issuance,
28 executive order, letter of instruction, administrative order, rule or regulation contrary
29 to or inconsistent with the provisions of this Act are hereby repealed, modified or
30 amended accordingly.

1 **Sec. 11. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
2 publication in the *Official Gazette* or in any two (2) newspapers of general circulation
3 in the Philippines.

Approved,