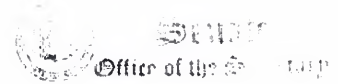


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 12 AM 11:30

SENATE

RECEIVED B.

S.B. No. 367

Introduced by Senator JOEL VILLANUEVA

**AN ACT
REQUIRING THE ESTABLISHMENT OF DIALYSIS CLINICS IN ALL
NATIONAL, REGIONAL AND PROVINCIAL HOSPITALS AND
PROVIDING FOR FREE DIALYSIS TREATMENTS TO INDIGENT
PATIENTS AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

Dialysis is the process of removing waste products from the blood and removing excess fluid from the body. Patients undergoing dialysis suffers from End Stage Renal Disease (ESRD), largely caused by chronic hypertension and diabetes.

In the Philippines, it is estimated that around 2.3 Million Filipinos have chronic kidney disease and more than 35,000 patients are undergoing dialysis treatment as of 2016.¹ Kidney disease has also been identified as one of the top 10 causes of death in the Philippines.² It is also reported that the number of dialysis patients has been steadily increasing at 10% to 15% annually. In 2014, the Philippine Health Insurance Corporation (PhilHealth) paid a total of Php4.7 Billion arising from 691,489 claims for dialysis treatment.³

Considering the large number of patients who needs to undergo dialysis treatment regularly, dialysis treatment centers should not only be accessible to these patients, but should also be affordable.

Kidney patients normally have to undergo dialysis treatment two to three times a week, with one treatment costing around Php4,500.⁴ This means that a kidney patient has to spend around Php9,000 to Php13,500 per week to survive. While the Philippine Health

¹ <https://www.philhealth.gov.ph/circulars/2021/circ2021-0009.pdf>

² <http://www.doh.gov.ph/node/1058>

³ https://www.philhealth.gov.ph/news/2015/extends_dialysis.html

⁴ <https://www.pna.gov.ph/articles/1086669>

Insurance Corporation (PhilHealth) has increased its coverage from 90 to 144 dialysis treatments, some, if not all, patients still have to pay for the treatment sessions outside of the 144 days.

Indeed, the accessibility of dialysis centers and the cost of treatments place a great burden on kidney patients, on top of battling their condition. This condition also affects their over-all productivity and ability to earn income.

This bill mandates the establishment of dialysis centers in national, provincial and regional hospitals to ensure that all kidney patients can easily access these centers for their treatment without having to travel far. This bill also recognizes the financial burden faced by dialysis patients and mandates that indigents shall be given free treatments in these centers.

The immediate passage of this bill is earnestly sought.



SENATOR JOEL VILLANUEVA, Jr

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

Office of the Secretary of the Senate

2022 JUL 12 A11 :30

SENATE

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PATIENTS AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1. Declaration of Policy.** – It is hereby declared the policy of the State to
2 protect and promote the right to health of the people and instill health consciousness
3 among them. For this purpose, the State shall ensure that patients suffering from End
4 Stage Renal Disease are accorded timely and appropriate treatment with the provision
5 of accessible dialysis clinics and free dialysis treatments.
6

7 **SEC. 2. Establishment of Dialysis Clinics in all National, Regional and Provincial**
8 **Hospitals.** – There shall be established dialysis clinics in all national, regional and
9 provincial hospitals in the country. The dialysis clinics shall be equipped with sufficient
10 machines, equipment, paraphernalia and supplies and staffed with the appropriate
11 number of medical and other personnel.
12

13 The Department of Health (DOH), in coordination with the local government units and
14 other relevant government agencies, shall lead the establishment of these clinics.
15

16 **SEC. 3. Free Dialysis Treatment to Indigent Patients.** – The Department of Health,
17 in coordination with the Philippine Health Insurance Corporation, shall ensure that
18 indigent patients are accorded free dialysis treatments in national, regional or
19 provincial hospitals. For this purpose, “indigent patient” refers to a patient who has no
20 visible means of income, or whose income is insufficient for the subsistence of his/her
21 family, as identified by the Department of Social Welfare and Development (DSWD).
22

23 **SEC. 4. Authority to Receive Donations and Exemption from Donor’s Taxes,**
24 **Customs and Tariff Duties.** – The DOH shall have the authority to receive donations,

1 gifts and bequests in order to augment the funding for the establishment of the dialysis
2 clinics created in accordance with this Act. All donations, contributions or endowments
3 which may be made by persons or entities to the dialysis clinics in national, regional
4 and provincial hospitals and the importation of medical equipment and machineries,
5 spare parts and other medical equipment used solely and exclusively by the dialysis
6 clinics shall be exempt from income or donor's taxes, any other direct or indirect taxes,
7 wharfage fees and other charges and restrictions.

8
9 **SEC. 5. Implementing Rules and Regulations.** – Within sixty (60) days from the
10 effectivity of this Act, the Department of Health, upon consultation with relevant
11 stakeholders, shall issue the implementing rules and regulations to implement the
12 provisions of this Act.

13
14 **SEC. 6. Appropriations.** – An initial amount of One Billion Pesos (P1,000,000,000)
15 shall be appropriated for the implementation of this Act. Thereafter, its appropriation
16 shall be included in the General Appropriations Act.

17
18 **SEC. 7. Separability Clause.** – If any provision of this law or the application thereof
19 to any person or circumstance, is held invalid, the remainder of this law, or the
20 application of such provision or part to other persons or circumstances, shall not be
21 affected thereby.

22
23 **SEC. 8. Repealing Clause.** – All laws, decrees, executive orders, rules and
24 regulations or part thereof deemed inconsistent with the provisions of this Act are
25 hereby repealed or modified accordingly.

26
27 **SEC. 9. Effectivity Clause.** – This Act shall take effect fifteen (15) days from the
28 publication in the Official Gazette or in at least two (2) national newspapers of general
29 circulation.

30
31 **Approved,**