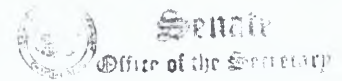


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 13 P3:05

SENATE

RECEIVED BY: 

S. No. 530

Introduced by **SENATOR CYNTHIA A. VILLAR**

**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

One out of 10 adults have Chronic Kidney Disease (CKD) worldwide. To make matters worse, mortality rate due to kidney disease is increasing annually. It is projected to be the fifth leading cause of death by 2040.

As of March 3, 2022, the Philippines has a population of more than 112 million. In 2018, the World Health Organization reported that 3.5 percent of total deaths in the country are due to CKD. The 10th leading cause of mortality in the Philippines in 2020, kidney failure is one of the leading causes of hospitalization. For the past decade, prevalence of dialysis has increased to approximately 400 percent.¹

At the beginning of what would become one of the world's longest lockdowns, the country's largest tertiary and training hospital, Philippine General Hospital (PGH), was converted to a Covid-19 referral center on March 30, 2020. This resulted to the closure of the outpatient department that caters to a number of Chronic Kidney Disease patients. Other government outpatient nephrology clinics and even private ones ceased operations due to nationwide restrictions imposed. The National Kidney and Transplant Institute, which houses the largest government hemodialysis facility,

¹ <https://mb.com.ph/2022/03/08/kidney-health-for-all/>

sought assistance as they could no longer accommodate the increasing cases of dialysis patients afflicted with the virus. Furthermore, kidney transplantation procedures were halted.

Patients suffering from kidney ailment who are living in provinces could not afford the expenses of traveling all the way to urban cities to seek dialysis treatment and the high cost of the procedure itself, which is needed on a regular and sustained basis. The optimum frequency of dialysis is three times a week, but because of its cost and inaccessibility, some patients settle with less, thus causing their health to deteriorate rapidly. Worse, some patients die without being given a chance to undergo dialysis because they could not afford it.

This attached bill provides that all national, regional and provincial government hospitals are required to establish, operate and maintain a dialysis ward or unit that will give free dialysis medical procedure to indigent patients. The aim of this bill is in consonance with the Constitutional mandate to make health services available to our countrymen at an affordable cost and improve the delivery of healthcare services to the Filipino people.

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



CYNTHIA A. VILLAR

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DIALYSIS TREATMENT TO INDIGENT PATIENTS**

*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 improve
3 the delivery of health care services to the people and to ensure hospital facilities are
4 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) *Secretary* refers to the Secretary of the Department of Health;
- 8 b) *National Government Hospital* refers to a hospital operated and
9 maintained either partially or wholly by the national government or by
10 any department, division, board or other agency thereof;

- 1 c) *Regional Government Hospital* refers to a hospital operated and
2 maintained either partially or wholly by the national government or by
3 any department, division, board or other agency thereof;
- 4 d) *Provincial Government Hospital* refers to a hospital operated and
5 maintained either partially or wholly by the provincial government or
6 other political subdivision, or by any department division, board or
7 other agency thereof; and
- 8 e) *Indigent Patient* refers to a patient who has no visible means of
9 income, compensation or financial assistance from his/her relatives to
10 support his/her basic needs, as determined by the Department of
11 Social Welfare and Development (DSWD).

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

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

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

23 Sec. 7. *Implementing Rules and Regulations.* – The Secretary shall
24 promulgate the necessary rules and regulations to implement the provisions of this
25 Act.

26 Sec. 8. *Appropriations.* – Such amount as may be necessary to implement the
27 provisions of this Act is hereby authorized to be appropriated from the National

1 Treasury. Thereafter, the amount necessary for the continuous implementation of
2 this Act shall be included in the government hospital's annual appropriations.

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

6 Sec. 10. *Repealing Clause.* – All law, presidential decrees or issuance,
7 executive order, letter of instruction, administrative order, rule or regulation contrary
8 to or inconsistent with the provisions of this Act are hereby deemed repealed,
9 modified or amended accordingly.

10 Sec. 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its
11 publication in the Official Gazette or in a newspaper of general circulation in the
12 Philippines.

13 Approved,