

23 MAY 15 P3:22

SENATE

S. No. 2187

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Introduced by **SENATOR CYNTHIA A. VILLAR**

**AN ACT
PROVIDING FOR FREE HEMODIALYSIS, PERITONEAL DIALYSIS, AND
OTHER DEPARTMENT OF HEALTH APPROVED DIALYSIS PROCEDURES TO
ALL SENIOR CITIZENS**

EXPLANATORY NOTE

Article XIII, Section 11 of the 1987 Philippine Constitution asserts: "The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health, and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers." This provision serves as a powerful reminder of the government's commitment to prioritize the welfare of vulnerable populations, including senior citizens.

Chronic Kidney Disease (CKD) is a pressing global health concern that affects approximately one in ten people. The Global Burden of Disease Study 2017 by the Institute for Health Metrics and Evaluation (IHME) highlights the continued significant impact of CKD on morbidity and mortality rates worldwide. Senior citizens, particularly those aged 65 to 74, are especially susceptible to CKD, with one in five men and one in four women affected. This vulnerability puts them at increased risk of severe complications or death from heart attacks and strokes. The COVID-19 pandemic has only intensified the mortality risk for seniors with CKD, with research showing that 14-30% of COVID-19 patients suffer kidney function loss, 20-40% of

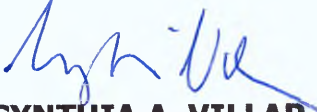
ICU patients develop kidney failure necessitating emergency dialysis, and kidney transplant patients experience mortality rates as high as 30%.

In the Philippines, the demand for dialysis has skyrocketed by 400% in the last decade, and CKD has become a leading cause of death among Filipino senior citizens. While proper access to treatments such as hemodialysis, peritoneal dialysis, and other Department of Health (DOH) approved dialysis procedures could mitigate these outcomes, the Philippine Health Insurance Corporation (PhilHealth) only subsidizes 90 of the needed 144 dialysis sessions under PhilHealth Circular No. 22-2015. Consequently, senior citizens must shoulder the remaining 54 sessions, which amount to an annual cost of PHP 135,000.

This financial burden weighs heavily on the country's ten million senior citizens, many of whom are unemployed and reliant on pensions. Notably, 3,796,791 indigent senior citizens receive a PHP 500 monthly social pension from the Philippine Government. The lingering COVID-19 pandemic has further strained their economic circumstances, underscoring the need for additional support.

In line with the constitutional mandate to prioritize the needs of senior citizens, this bill aims to alleviate the burden on our senior citizens suffering from CKD by providing free hemodialysis, peritoneal dialysis, and other DOH-approved dialysis procedures to all senior citizens. By doing so, we reaffirm our commitment to safeguarding their health and well-being.

In view of the foregoing, I recommend the approval of this bill.


CYNTHIA A. VILLAR

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AN ACT
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OTHER DEPARTMENT OF HEALTH APPROVED DIALYSIS PROCEDURES TO
ALL SENIOR CITIZENS

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 "Free Dialysis for
2 Senior Citizens Act of 2023."

3 Sec. 2. *Free Dialysis Sessions for All Senior Citizens.* - The cost of the needed
4 hemodialysis, peritoneal dialysis, and other Department of Health (DOH) approved
5 dialysis procedure shall be reimbursed by the Philippines Health Insurance
6 Corporation (PhilHealth), provided such treatment is availed of at the PhilHealth
7 accredited hospitals and freestanding dialysis centers. Provided further, that only
8 those procedures that use the dialysis solutions included in the latest edition of the
9 Philippine National Drug Formulary (PNDF) shall be reimbursed by the PhilHealth.
10 Provided finally, that only laboratory procedures and supplies considered necessary
11 shall be covered by the PhilHealth. PhilHealth shall as soon as possible reimburse all
12 official receipts for drugs, supplies, and laboratory procedures dated thirty (30) days
13 prior to the date of the claimed session.

14 Sec. 3. *Appropriations.* - The amount needed for the implementation of this
15 Act shall be charged against the appropriations of the DOH and the PhilHealth in the
16 current and subsequent General Appropriations Act and their own respective funds.

1 Thereafter, the amount needed for the continued implementation of this Act shall be
2 included in the budget of the concerned departments in the annual General
3 Appropriations.

4 Sec. 4. *Implementing Rules and Regulations.* - Within thirty (30) days from
5 the approval of this Act, the DOH, the PhilHealth, and the National Commission on
6 Senior Citizens (NCSC), in coordination with other implementing agencies, shall
7 formulate rules and guidelines as may be necessary for the proper implementation
8 and enforcement of this Act.

9 Sec. 5. *Separability Clause.* - If any provision of this Act or the application
10 thereof to any person or circumstance is declared invalid or unconstitutional, the
11 other provisions or sections of this Act and the application of such provision or
12 section to other persons or circumstances, not affected thereby shall continue to be
13 in full force and effect.

14 Sec. 6. *Repealing Clause.* - All laws, decrees, executive orders, rules, and
15 regulations, or parts thereof that are contrary to or inconsistent with the provisions
16 of this Act are hereby repealed, modified, or amended accordingly.

17 Sec. 7. *Effectivity.* - This Act shall take effect fifteen (15) days after its
18 complete publication in the Official Gazette or in at least two (2) newspapers of
19 general circulation.

Approved,