

October 15, 2019

Honorable CHRISTOPHER LAWRENCE T. GO
Chairperson
Committee on Health and Demography
Senate of the Philippines
Pasay City

Dear **Senator Go**:

The Department of Social Welfare and Development (DSWD) **fully supports** Senate Bill No. 166 entitled: “An Act **Increasing the Penalties for the Detention of Patients and Cadavers in Hospitals, Medical Clinics, or Any Other Similar Facilities on Grounds of Nonpayment of Hospital Bills or Medical Expenses Amending for the Purpose Republic Act 9439** entitled “An Act Prohibiting the Detention of Patients in Hospitals and Medical Clinics on Grounds of Nonpayment of Hospital Bills or Medical Expenses”, introduced by Senator Risa Hontiveros and Senate Bill No. 697 or “Act Prohibiting the Withholding of Muslim Cadavers in the Custody of Any Hospital, Medical Clinic, Funeral Parlor, Morgue, or Other Similar Facilities on Grounds of Non-payment of Hospital Bills, Medical Expenses, or Other Fees Providing Penalties Therefor, and for Other Purposes”, introduced by Senator Aquilino “Koko” Pimentel, III.

The provision on “**Anti-Hospital Detention Assistance Fund**” is a good mechanism to help poor patients trapped by medical expenses.

To contribute to the bills’ enhancement, we are recommending the following:

1. To consolidate the bills into one.
2. On SBN 166 (Sen. Hontiveros)

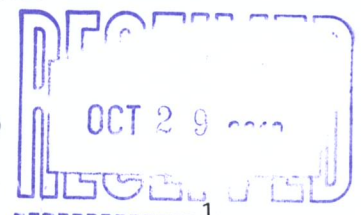
2.1 Sec. 1 – Section 1 of RA No. 9439

To **include funeral parlors**, which also hold the release of cadavers due to unpaid funeral services.

2.2 Sec. 4 – Anti-Hospital Detention Assistance Fund

To clarify if this is a yearly fund, and the consequence once the fund is exhausted.

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3. **Sec. 2 – Prohibited Withholding; Immediate Release of SBN 697**, introduced by Sen. Pimentel, III in relation to **Sec. 2 – Section 1 of RA 9439 & Sec. 4 – Anti-Hospital Detention Assistance Fund of SBN 166**, introduced by Sen. Hontiveros

To avoid duplication in the provision of services, the **unpaid promissory note** issued to indigent patients should **be covered by the Anti-Hospital Detention Assistance Fund** under the management of the Department of Health (DOH) rather than through a guarantee letter issued by the DSWD.

4. **Other Comments:**

- 4.1 For clarity, **define the term “indigent”** as used in the bills;
- 4.2 Clarify the **parameters and criteria** in evaluating who these indigents are;
- 4.3 Instead of the DSWD, we strongly recommend the **Local Social Welfare and Development Office (LSWDO)** to implement this since social services have been devolved to the Local Government Units (LGUs) per RA 7160 or the “Local Government Code of 1991”;
- 4.4 Government hospitals/health centers should be provided with optimum resources and high quality hospital equipment to respond adequately to the health care needs of Filipino people; and
- 4.5 To **include a Section on “Penalties”** for any person, group, or corporation who will violate the provisions of this Act.

For the Committee's consideration.

Very truly yours,



ROLANDO JOSELITO D. BAUTISTA

Secretary

Date: _____