

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
EIGHTEENTH CONGRESS
Third Regular Session



HOUSE BILL NO. 10104

Introduced by: **CONG. "KUYA" JOSE ANTONIO R. SY-ALVARADO**

EXPLANATORY NOTE

There has been a non-stop increase of COVID-19 cases in the country. This surge has resulted to shortage of hospital beds. Families of COVID-stricken patients are scrambling to find hospital that has enough facilities to cater them.

Heart-breaking photos of patients lying on the ground outside a hospital building went viral. Hospital were overwhelmed as ambulances, along with private cars, carrying COVID patients lined up for laboratory tests and admission.

As we face this kind of challenge, it is very depressing to know that some hospitals choose not to make their beds available while detaining recovered patients with unpaid bills. The worst part is, they will continue to charge you until you fully paid the whole bill.

This measure aims to free more bed to accommodate the increasing demand of hospital bed and to penalize this outrageous system of some hospitals detaining their patients due to unpaid bills.

Thus, the immediate passage of this bill is earnestly sought.

CONG. "KUYA" JOSE ANTONIO R. SY-ALVARADO
Representative
1st District, Bulacan

A handwritten signature in blue ink, slanted upwards from left to right, positioned over the printed name and title of the representative.

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AN ACT
PROHIBITING THE DETENTION OF COVID PATIENTS IN HOSPITALS AND
MEDICAL INSTITUTIONS DUE TO THEIR UNPAID HOSPITAL BILLS OR
MEDICAL EXPENSES, AND PROVIDING PENALTIES THEREOF

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

SECTION 1. Short Title. This Act shall be known as the "*Lingkod No Patient Detention Act of 2021*".

SECTION 2. Prohibition. It shall be unlawful for any hospital or medical institution in the country to detain or to otherwise cause, directly or indirectly, the detention of COVID patients who have fully or partially recovered or have been adequately attended to or who may have died, for reasons of nonpayment in part or in full of hospital bills or medical expenses.

SECTION 3. Coverage. COVID patients who have fully or partially recovered and who already wish to leave the hospital or medical clinic but are financially incapable to settle, in part or in full, their hospitalization expenses, including professional fees and medicines, shall be allowed to leave the hospital or medical clinic, with a right to demand the issuance of the corresponding medical certificate and other pertinent papers required for the release of the patient from the hospital or medical clinic upon the execution of a promissory note covering the unpaid obligation. The promissory note shall be secured by either a mortgage or by a guarantee of a co-maker, who will be jointly and severally liable with the patient for the unpaid obligation. In the case of a deceased patient, the corresponding death certificate and other documents required for interment and other purposes shall be released to any of his surviving relatives requesting for the same: *Provided, however, That* patients who stayed in private rooms shall not be covered by this Act.

SECTION 4. Penalties. Any officer or employee of the hospital or medical institution responsible for releasing patients, who violates the provisions of this Act shall be punished by a fine of not less than Two hundred fifty thousand pesos (P250,000.00), but not more than Five hundred thousand pesos (P500,000.00), or imprisonment of not less than one year, but not more than five years, or both such fine and imprisonment, at the discretion of the proper court.

SECTION 5. Write-Offs. All accumulated bills at the start of the *detention* shall be written off on the final billing.

SECTION 6. Implementing Rules and Regulations. Within thirty (30) days from the effectivity of this Act, the Department of Health shall promulgate the necessary rules and regulations for its effective implementation.

SECTION 7. Separability Clause. If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SECTION 8. Repealing Clause. All laws, decrees, orders, issuances or portion thereof, which are inconsistent with the provisions of this Act are repealed or modified accordingly.

SECTION 9. Effectivity. This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,

