



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
18th City Council

PO2010-124

25th Regular Session

ORDINANCE NO. SP-2061, S-2011.

AN ORDINANCE REQUIRING ALL HOSPITALS, MEDICAL CLINICS, AND SIMILAR MEDICAL INSTITUTIONS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF QUEZON CITY TO POST A COPY OF REPUBLIC ACT NO. 8344 ENTITLED "AN ACT PENALIZING THE REFUSAL OF HOSPITALS AND MEDICAL CLINICS TO ADMINISTER APPROPRIATE INITIAL MEDICAL TREATMENT AND SUPPORT IN EMERGENCY OR SERIOUS CASES, AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 702, OTHERWISE KNOWN AS "AN ACT PROHIBITING THE DEMAND OF DEPOSITS OR ADVANCE PAYMENTS FOR THE CONFINEMENT OR TREATMENT OF PATIENTS IN HOSPITALS AND MEDICAL CLINICS IN CERTAIN CASES".

Introduced by Councilors ALFREDO D. VARGAS III,
JOSE MARIO DON S. DE LEON, JESSICA
CASTELO DAZA, PRECIOUS HIPOLITO CASTELO
and ANTHONY PETER D. CRISOLOGO.

Co-Introduced by Councilors Francisco A. Calaña, Jr.,
Dorothy A. Delarmente, Ricardo T. Belmonte, Jr.,
Joseph P. Juico, Alexis R. Herrera, Eden "Candy"
A. Medina, Juliette Alyson Rae V. Merceda,
Roderick M. Paulate, Godofredo T. Liban II, Julian
ML. Coseteng, Allan Benedict S. Reyes, Jaime F.
Borres, Gian Carlo G. Sotto, Eufemio C.
Lagumbay, Edcel B. Lagman, Jr., Jesus Manuel C.
Suntay, Raquel S. Malañgen, Vincent DC
Belmonte, Marvin C. Rillo, Ranulfo Z. Ludovica
and John Ansell P. De Guzman.

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WHEREBY under Section 15, Article II of the 1987 Philippine Constitution, it is the declared policy of the State to protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, Section 11, Article XIII of the 1987 Philippine Constitution mandates that the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential health and other social services available to all the people at affordable cost;

WHEREAS, Republic Act No. 8344, amending Batas Pambansa Bilang 702 was enacted on 5 June 1997 and was signed into law on 25 August 1997 to ensure the immediate provision of medical treatment by medical institutions without need for deposit or any other form of advance payment;

WHEREAS, Section 5 of Republic Act No. 8344, amending Batas Pambansa Bilang 702 directs the Department of Health to promulgate the necessary rules and regulations to carry out the provisions of the said Act, which implementing rules and regulations were promulgated accordingly on 18 February 1998;

WHEREAS, Section 458 (a) (5) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, grants upon the Sangguniang Panlungsod the power to approve ordinances which shall ensure the efficient and effective delivery of the basic services and facilities including health and social welfare services;

WHEREAS, a considerable number of the citizens of Quezon City availing of basic health services appear to be uninformed or misinformed as to their rights under Republic Act No. 8344 amending Batas Pambansa Bilang 702 and the corresponding penalties on health institutions who refuse or fail to respect such rights;

WHEREAS it is the responsibility of the Local Government of Quezon City to ensure that proper communication of such rights is provided to its constituency in the most effective and efficient manner identifiable.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

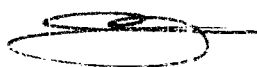
SECTION 1. Posting Requirement - All hospitals, medical clinics and similar medical institutions are hereby required to post copies of Republic Act No. 8344 and its Implementing Rules and Regulations, in both English and Filipino language, in conspicuous places as specified in this Ordinance.

SECTION 2. Copy Specifications - Copies of Republic Act No. 8344 and its Implementing Rules and Regulations for posting in accordance with this Ordinance must have the following specifications:

- a. The paper on which such copies will be printed must be colored white and at least 297 mm in width and 420 mm in length (A3 size);
- b. The font style used for the words on such copies must be sans serif, colored black and at least point size 20 from beginning to end; and,
- c. The number of sheets used for the copies may exceed one (1) sheet but no more than three (3) sheets.

SECTION 3. Particular Places for Posting - The medical institutions required to post copies of Republic Act No. 8344 and its Implementing Rules and Regulations for posting in accordance with this Ordinance must post such copies in the following areas:

- a. In a conspicuous place in all areas in the institution where patients are admitted for treatment or confinement;



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b. In a conspicuous place in all waiting areas in the institution whether for patients, companions of such patients or guests except for halls and corridors of the institutions; and,

c. In a conspicuous place in all areas in the institution where payments for treatment or confinement are transacted.

SECTION 4. Responsibility as to Posting - The posting health institution shall be responsible for ensuring that copies of Republic Act No. 8344 and its Implementing Rules and Regulations posted in accordance with this Ordinance are not tampered with, vandalized or permanently removed in any manner. If such copies are tampered, vandalized or removed in any manner or for any reason whatsoever, it is the sole responsibility of the posting health institutions to replace the same within a reasonable time from discovery of such tampering, vandalizing or removal, which period shall not exceed fifteen (15) days from discovery.

SECTION 5. Penal Clause - Any person who violates any provision of this Ordinance shall be penalized with a fine of five thousand pesos (P5,000.00) and imprisonment for a period not exceeding one (1) year. This is without prejudice to administrative sanctions that may be imposed by the City Government. In case of medical institutions, the head of such institutions shall be held liable.


SECTION 6. Implementing and Monitoring Body - The City Health Department being an arm of the Department of Health shall initiate the implementation of this ordinance and further tasked to regularly monitor the compliance of concerned medical service establishments to comply with this ordinance.

SECTION 7. Repealing Clause - All existing ordinances, resolutions, local executive orders, rules and regulations inconsistent herewith are hereby repealed and superseded or modified accordingly.


SECTION 8. Separability Clause – Should any provision of this Ordinance be declared unconstitutional or invalid by any court of competent jurisdiction, the provisions not affected thereby shall continue to be in full force and effect.

SECTION 9. Effectivity – This Ordinance shall take effect immediately upon its approval.

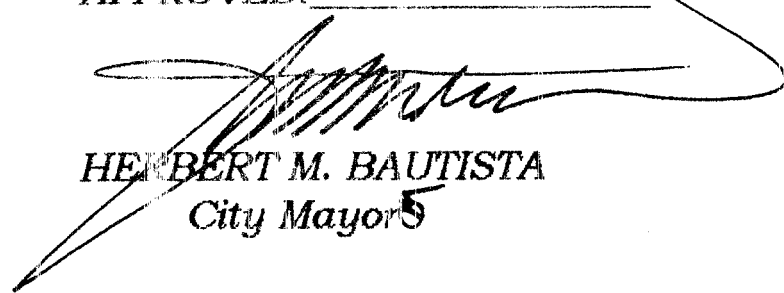
ENACTED: May 16, 2011.


MA. JOSEFINA G. BELMONTE
Vice Mayor
Presiding Officer

ATTESTED:


DOROTHY D. LAGRADA, DPA
City Secretary

APPROVED: _____


HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on May 9, 2011, was reverted back and again APPROVED on Second Reading on May 16, 2011 until finally PASSED on Third/Final Reading on May 23, 2011.


DOROTHY D. LAGRADA, DPA
City Secretary