Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
18th City Council

PO2012-17

64th Regular Session

ORDINANCE NO. SP- 2171 *, S-2012*

AN ORDINANCE PROHIBITING HOME BIRTHS IN QUEZON CITY, PROHIBITING TRADITIONAL BIRTH ATTENDANTS TO DELIVER BABIES AND REQUIRING ALL PROFESSIONAL HEALTH PRACTITIONERS TO DELIVER BABIES ONLY IN HEALTH FACILITIES AND PROVIDING PENALTY FOR VIOLATION THEREOF.

Introduced by Councilors JESSICA CASTELO DAZA, FRANCISCO A. CALALAY, JR., DOROTHY A. DELARMENTE, ANTHONY PETER D. CRISOLOGO, RICARDO T. BELMONTE, JR., JOSEPH P. JUICO, ALEXIS R. HERRERA, PRECIOUS HIPOLITO CASTELO, ALFREDO D. VARGAS III, EDEN "Candy" A. MEDINA, JULIENNE ALYSON RAE V. MEDALLA, RODERICK M. PAULATE, GODOFREDO T. LIBAN II, JULIAN ML. COSETENG, ALLAN BENEDICT S. REYES, JAIME F. BORRES, JOSE MARIO DON S. DE LEON, GIAN CARLO G. SOTTO, EUFEMIO C. LAGUMBAY, JESUS MANUEL C. SUNTAY, RAQUEL S. MALAÑGEN, VINCENT DG. BELMONTE, MARVIN C. RILLO, IVY LIM-LAGMAN, RANULFO Z. LUDOVICA and JOHN ANSELL R. DE GUZMAN.

WHEREAS, in developing countries like the Philippines, the direct causes of maternal mortality are similar, such as, hemorrhage, hypertensive disorders of pregnancy, unsafe abortion, and obstructed labor. These causes constitute the majority of obstetric complications resulting in maternal and fetal fatalities. While numerous maternal deaths are unclassified, it is clear that hypertension, hemorrhage and unsafe abortion are the three (3) major causes of maternal mortality. These problems can be prevented and can be addressed through adequate medical care such as the presence of skilled birth attendants, emergency obstetric care, when necessary, and access to family planning services;

WHEREAS, in order to reduce this burden, Target 6 MDG 5 provides for the reduction of maternal mortality ratio (MMR) by 75% between 1990 and 2015 which also includes access to reproductive health services;

WHEREAS, study shows that MDG Goal 5 (improve maternal health) is one of the MDGs that are least likely to be achieved in the Philippines by 2015. This situation presents a major challenge not only to national government agencies but also to local government units. A great effort is necessary to improve public reproductive and maternal health services and mothers education;

WHEREAS, according to UNICEF one of the major factors in the maternal or fetal deaths in the Philippines is the common Filipino practice of deliveries outside a health facility. Eight (8) out of ten (10) births in rural and urban poor areas are delivered outside a health facility and in the absence of medical professionals like doctors, nurses and midwives. Most of these deliveries are home-based and attended by unprofessional attendants, commonly known as "hilot" or "comadrona";

WHEREAS, the City Government should give attention to the maternal and neonatal well-being of its constituents. It has to implement various health reforms aimed at rapidly reducing maternal and neonatal mortality. These efforts should include local legislation on maternal health coupled with an active information campaign, training health personnel and building health facilities in urban poor areas;

WHEREAS, there is a need to regulate when expectant mothers opted to seek the services of traditional birth attendants called "hilot" and/or "comadrona" because even if a woman is very healthy, unanticipated complications may arise when giving birth and delivering at home without adequate emergency facilities and equipment can pose great danger to the mother and infant.

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NOW, THEREFORE,

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

SECTION 1. Home birth is hereby prohibited within the territorial jurisdiction of Quezon City.

SECTION 2. All Traditional Birth Attendants are hereby prohibited to deliver babies while all professional health practitioners are hereby required to deliver babies only in health facilities in Quezon City.

SECTION 3. For purposes of this Ordinance, the following shall mean:

1. Professional Health Practitioners – are persons licensed to practice medical profession in the Philippines and shall include physicians, nurses and midwives.

2. Traditional Birth Attendants (TBA) – are untrained women who conducts pre-natal, post natal care and delivery at home.

3. Health Facility - shall mean hospital, health clinic, health infirmary, health center and lying-in clinics, birthing home with obstetrical and pediatric services whether public or private.

SECTION 4. All medical practitioners and traditional birth attendants are hereby authorized to refer pregnant women to private and public lying-in clinics and hospitals in Quezon City.

SECTION 5. The Quezon City Health Department is hereby designated as the implementing agency of this Ordinance. This Department may seek the assistance of other city government departments and offices in the proper implementation of this ordinance. The Quezon City Health Department shall also extend livelihood training program to Traditional Birth Attendant in order for them to have alternative source of income.

SECTION 6. Any person who shall violate any provision of this Ordinance shall suffer a penalty of a fine of five thousand pesos (Php5,000.00).

SECTION 7. This Ordinance shall take effect upon its approval.

ENACTED: September 3, 2012.

JOSEPH P. JUICO
President Pro-Tempore
Acting Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept Head III

APPROVED: 26 SEP 2012

HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on September 3, 2012 and was PASSED on Third/Final Reading on September 10, 2012.

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept Head III

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LAW RESEARCH