

Republic of the Philippines  
**QUEZON CITY COUNCIL**

Quezon City  
21<sup>st</sup> City Council

PO21CC-020

45<sup>th</sup> Regular Session

ORDINANCE NO. SP- **2978**, S-2020

AN ORDINANCE EXEMPTING THE BARANGAY PUBLIC SAFETY OFFICERS (BPSO) AND PERSONS ARRESTED AND/OR APPREHENDED BY THE BPSO PURSUANT TO EXISTING LAWS, RULES, AND REGULATIONS, FROM PAYMENT OF MEDICAL EVALUATION AND/OR MEDICAL REPORT FEES IN QUEZON CITY GENERAL HOSPITAL, NOVALICHES DISTRICT HOSPITAL, AND ROSARIO MACLANG BAUTISTA GENERAL HOSPITAL, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

*Introduced by Councilors MARIVIC CO PILAR, FRANZ S. PUMAREN and VICTOR V. FERRER, JR.*

*Co-Introduced by Councilors Bernard R. Herrera, Lena Marie P. Juico, Dorothy A. Delarmente, M.D., Tany Joe "TJ" L. Calalay, Nicole Ella V. Crisologo, Winston "Winnie" T. Castelo, Atty. Bong Liban, Eden Delilah "Candy" A. Medina, Ramon P. Medalla, Mikey F. Belmonte, Estrella C. Valmocina, Matias John T. Defensor, Wencerom Benedict C. Lagumbay, Jorge L. Banal, Sr., Peachy V. De Leon, Imee A. Rillo, Marra C. Suntay, Irene R. Belmonte, Resty B. Malañgen, Ivy L. Lagman, Hero M. Bautista, Jose A. Visaya, Karl Castelo, Patrick Michael Vargas, Shaira L. Liban, Ram V. Medalla, Allan Butch T. Francisco, Rogelio "Roger" P. Juan, Diorella Maria G. Sotto-Antonio, Donato "Donny" C. Matias, Eric Z. Medina, Freddy S. Roxas and Noe Dela Fuente.*

*WHEREAS, the Local Government Code of 1991 (LGC) provides that barangays, as the basic political unit, have the duty to promote the general welfare of their inhabitants, enforce all applicable laws and ordinances, and maintain public order in the barangays;*

*WHEREAS, Sections 387 (b) and 391 (16) of the LGC provide that the Sangguniang Barangay may form community brigades, barangay tanod or community service units as may be necessary to assist in the peace and order efforts of the barangay;*

*WHEREAS, Barangay Public Safety Officers (BPSO) stationed in different areas of the barangay are conducting round-the-clock, daily rounds to secure peace and order within the neighborhood and are the first responders to calls for assistance in case of accidents, emergencies, calamities, or commission of crimes in the community;*

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WHEREAS, persons apprehended by the BPSO who are brought to the nearest police station for arrest and booking procedures are subjected to medical/physical check-up and/or treatment, and thereafter turned over to police authorities for custodial investigation and charging of appropriate offenses;

WHEREAS, payment of fees for medical evaluation and/or medical report are exacted from the BPSO, whether the medical check-up or treatment be for themselves or for the offenders they apprehended. This task of paying for the cost of the aforesaid medical evaluation and/or medical report is financially burdensome on the part of the BPSO and discourages them from performing their duties;

WHEREAS, the exemption from payment for medical evaluation and/or medical report fees under the conditions herein set forth shall serve as additional incentive for the BPSOs to properly perform their tasks;

WHEREAS, funding shall be allocated and granted to Quezon City hospitals, namely, Quezon City General Hospital, Novaliches District Hospital, and Rosario Maclang Bautista General Hospital to answer for the said medical evaluation/report fees.

NOW, THEREFORE,

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

SECTION 1. DEFINITION OF TERMS. - As used in this Ordinance, the following terms shall mean:

- a. BPSO - refers to the Barangay Public Safety Officers (BPSO) duly appointed by their respective Punong Barangays, whether under plantilla, contract of service/job order or a volunteer.

The BPSO shall present a valid BPSO Identification Card and submit a photocopy thereof to the concerned Quezon City hospital.

- b. Person arrested and/or apprehended - refers to any person arrested and/or apprehended by the BPSO in accordance with Rule 113, Section 5, paragraphs (a) and (b) of the Revised Rules of Criminal Procedure pertaining to lawful warrantless arrests.

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- c. *Quezon City Government-Owned and Operated Hospitals - refer to Quezon City General Hospital, Novaliches District Hospital, and Rosario Maclang Bautista General Hospital.*

*SECTION 2. EXEMPTION FROM PAYMENT OF FEES. - Subject to the provisions of Section 3 hereof, the following shall be exempt from payment of medical evaluation and/or medical report fees from the Quezon City General Hospital, Novaliches District Hospital, and Rosario Maclang Bautista General Hospital:*

- a. *BPSO who sustained injuries while in the performance of their duties;*
- b. *Persons arrested and/or apprehended by the BPSO who are required to be subjected to medical examination for the purpose of filing of appropriate charges.*

*SECTION 3. INJURIES COVERED BY THE EXEMPTION FROM PAYMENT OF FEES. - Only injuries requiring outpatient treatment such as but not limited to bruises, scratches, and the like, which do not require further medical procedures or services, hospital confinement or major surgery, shall be exempt from payment of medical evaluation fees.*

*The injuries covered by the exemption are those sustained by the BPSO and persons arrested and/or apprehended, which are actually and directly connected to the incident which resulted in the arrest or apprehension.*

*The medical report or certificate issued in relation to the incident shall likewise be exempt from payment and shall be used exclusively for purposes relative thereto.*

*SECTION 4. PRIORITY LANE. - All Quezon City Government-owned and operated hospitals shall observe and maintain a priority lane pursuant to this Ordinance to prevent undue delay in the administration of justice.*

*SECTION 5. PROHIBITED ACTS. -*

- a. *It shall be unlawful for any person to pretend or misrepresent himself/herself as BPSO for purposes of availing the exemption provided in this Ordinance.*

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- b. It shall be unlawful for any BPSO or a duly deputized and authorized personnel of BPSO to avail exemptions provided herein for acts or incidents not covered by this Ordinance.
- c. It shall be unlawful for Quezon City Government-owned and operated hospitals to refuse to provide free medical evaluation services and to issue medical report or certificate within the coverage of this Ordinance.

**SECTION 6. PENALTIES.** - Any person held liable under this Ordinance shall be penalized as follows:

- a. Any person who pretends or misrepresents himself/herself as BPSO for purposes of availing the exemption from payment of medical evaluation and/or medical report fees shall be punished by a fine of One Thousand Pesos (Php1,000.00) or imprisonment of one (1) day to thirty (30) days, or both, at the discretion of the Court.
- b. Any BPSO who deliberately and maliciously avails the exemptions provided herein for acts or incidents not covered by this Ordinance shall be punished by a fine of One Thousand Pesos (Php1,000.00), without prejudice to any administrative or criminal liability.
- c. The Hospital Director and/or Medical Personnel who refuse to provide free medical evaluation services and to issue medical report within the coverage of this Ordinance shall be held administratively liable for such acts or omissions.

**SECTION 7. SEPARABILITY CLAUSE.** - If, for any reason, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby, shall remain in full force and effect.

**SECTION 8. REPEALING CLAUSE.** - Ordinance No. SP-2349, S-2014 is hereby modified accordingly. All other ordinances, resolutions, executive orders, memorandum circulars, rules and regulations or parts thereof, which are inconsistent with any provision of this Ordinance, are hereby repealed or modified accordingly.

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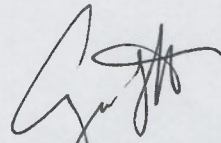
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*SECTION 9. EFFECTIVITY CLAUSE. - This Ordinance shall take effect immediately upon its approval.*

ENACTED: October 19, 2020.



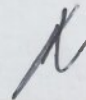
GIAN G. SOTTO  
City Vice Mayor  
Presiding Officer

ATTESTED:



Atty. JOHN THOMAS S. ALFEROS III  
City Government Dept. Head III


APPROVED: NOV 10 2020



MA. JOSEFINA G. BELMONTE  
City Mayor

CERTIFICATION

*This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on October 19, 2020 and was PASSED on Third/Final Reading on October 26, 2020.*



Atty. JOHN THOMAS S. ALFEROS III  
City Government Dept. Head III

