



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
19th City Council

PR19CC-1024

71st Regular Session

RESOLUTION NO. SP- **6527**, S-2015

A RESOLUTION URGING THE DEPARTMENT OF HEALTH (DOH) TO DIRECT ALL QUEZON CITY HOSPITALS AND OTHER SIMILAR MEDICAL INSTITUTIONS TO STRICTLY OBSERVE AND COMPLY WITH THE IMPLEMENTATION OF REPUBLIC ACT NO. 9439, ENTITLED, "AN ACT PROHIBITING THE DETENTION OF PATIENTS IN HOSPITALS AND MEDICAL CLINICS GROUNDS OF NON-PAYMENT OF HOSPITAL BILLS OR MEDICAL EXPENSES".

Introduced by Councilor ROGELIO "ROGER" P. JUAN.

Co-Introduced by Councilors Anthony Peter D. Crisologo, Dorothy A. Delarmente, Lena Marie P. Juico, Victor V. Ferrer, Jr., Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Roderick M. Paulate, Ranulfo Z. Ludovica, Ramon P. Medalla, Estrella C. Valmocina, Allan Benedict S. Reyes, Gian Carlo G. Sotto, Franz S. Pumaren, Eufemio C. Lagumbay, Jose Mario Don S. De Leon, Jaime F. Borres, Jesus Manuel C. Suntay, Marvin C. Rillo, Raquel S. Malañgen, Jessica Castelo Daza, Bayani V. Hipol, Jose A. Visaya, Julianne Alyson Rae V. Medalla, Godofredo T. Liban II, Allan Butch T. Francisco, Karl Edgar C. Castelo Candy A. Medina, Diorella Maria G. Sotto, Melencio "Bobby" T. Castelo, Jr., Donato C. Matias and Ricardo B. Corpuz.

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

WHEREAS, Section V (3) of the Implementing Rules and Regulations (IRR) of Republic Act No. 9439 provides that, "In the case of a deceased patient, any of his/ her surviving relatives who refuse to execute a promissory note shall be allowed to claim the cadaver and can demand the issuance of death certificate and other pertinent documents for interment purposes. Documents for other purposes shall be released only after execution of a promissory note";

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WHEREAS, under the same Section of the said IRR, it is provided that "in the case of a deceased patient, any hospital or medical clinic refusing to release the cadaver for reason of nonpayment, in part or in full, of hospital bills or medical expenses/hospitalization expenses shall be held accountable for such unlawful act. Detention occurs when all of the following are present:

- a) The medical officer has made the pronouncement of death;
- b) Any of the surviving relatives is incapable to pay the corresponding hospital bills or medical expenses/hospitalization expenses;
- c) Any of the surviving relatives has executed a promissory note covering the unpaid hospital bills or medical expenses/hospitalization expenses; and
- d) The officer or employee of the hospital or medical clinic responsible for releasing the deceased patient has refused to release the cadaver and/or relevant documents."

WHEREAS, it is but imperative to urge the Department of Health to require all hospitals and other medical institutions in Quezon City to strictly comply with the provisions of Republic Act No. 9439 so as to address the problem arising from the refusal of some hospitals and medical clinics to discharge patients due to the latter's inability to pay their hospital bills or medical expenses by encouraging them to employ appropriate payment schemes;

WHEREAS, despite serious efforts to implement R.A No. 9439, not all hospitals and medical institutions in our city comply with the provisions of the said law and still tend to detain cadavers which cause problems to some of our constituents, especially the indigents. Thus, there is a need to urge the Department of Health to require all Quezon City hospitals and other similar medical institutions to strictly observe and comply with the implementation of said Act. *✓*

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NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED, to urge, as it does hereby urge the Department of Health (DOH) to direct all Quezon City hospitals and other similar medical institutions to strictly observe and comply with the implementation of Republic Act No. 9439, entitled "An Act Prohibiting the Detention of Patients in Hospitals and Medical Clinics on Grounds of Non-Payment of Hospital Bills or Medical Expenses".

RESOLVED, FURTHER, that the Quezon City Health Department is hereby directed to monitor the strict compliance of all hospitals and medical institutions in the implementation of Republic Act No. 9439.

ADOPTED: September 7, 2015.



VINCENT DG. BELMONTE
President Pro-Tempore
Acting Presiding Officer

ATTESTED:


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

CERTIFICATION

This is to certify that this Resolution was APPROVED by the City Council on Second Reading on September 7, 2015 and was CONFIRMED on September 14, 2015.


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