ORDINANCE NO. 05-044

AN ORDINANCE DIRECTING ALL HOSPITALS, MEDICAL CLINICS AND THE LIKES, OPERATING IN THE CITY OF MUNTINLUPA TO POST A COPY OF REPUBLIC ACT 8344, OTHERWISE KNOWN AS 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 702, OTHERWISE KNOWN AS "AN ACT PROHIBITING THE DEMAND OF DEPOSITS OR ADVANCE PAYMENTS FOR THE CONFINEMENT OR TREATMENT OF PATIENTS IN HOSPITAL AND MEDICAL CLINICS IN CERTAIN CASES".

Sponsored by:
Hon. Ma. Luisa Babaran-Echavez, M.D.
Hon. Kevin B. Delgado
Hon. Marissa Cole-Rongavilla
Hon. Atty. Icasiano M. dela Rea
Hon. Allan Rey A. Camilon
Hon. Mario E. Bulay, Jr.
Hon. Lucio B. Constantino
Hon. Rene Carl S. Cayetano
Hon. Melchor R. Teves
Hon. Allen F. Ampaya
Hon. Elmer S. Espeleta
Hon. Francis Ian T. Bagatsing
Hon. Artemio A. Simundac
Hon. Christian Glenn D. Lorica

WHEREAS, Section 15, Article II of the 1987 Constitution provides "The State shall protect and promote the right to health of the people and instill health consciousness among them";

WHEREAS, it is an open business practice of most hospitals and medical clinics to demand deposits or advance payments for the confinement of patients;

WHEREAS, while these medical service establishments desire financial viability, amidst an environment of shrinking financial resources, they too have a social responsibility to administer medical treatment to patients especially in emergency or serious cases regardless of whether or not they can pay advance payment or deposit in consideration for the patients treatment;

WHEREAS, the Congress of the Philippines enacted Batas Pambansa 702 as amended by RA 8344 apparently to prevent this immoral practice;
WHEREAS, despite the existence of said law, still, a lot of people are not aware of it, thus, it now becomes necessary to utilize all powers of government so the people may be properly informed of their rights as provided by said law;

WHEREAS, this Sangguniang Panlungsod, now acts pursuant to the powers expressly granted upon it by law, and those necessarily implied therefrom, to best serve the interest of its residents and constituents.

NOW THEREFORE, BE IT ORDAINED by the Sangguniang Panlungsod of Muntinlupa in session duly assembled that:

Section 1. All hospitals, medical clinics and the likes operating in the City of Muntinlupa shall be required to post the following salient features of RA 8344 in a conspicuous place in the hospital or clinic premises, which shall include but not limited to the emergency room, waiting area, cashier and all floor of the building: the Title, Section 1, Section 2, Section 2a, 2b and Section 4.

Section 2. The following fines/penalty/ies shall be imposed upon the hospital or medical clinic administrator, proprietor, owner or any officer of said establishment for failure or refusal to post RA 8344 as required by this Ordinance:

a. First Offense: Php 3,000.00;

b. Second Offense: Php 5,00.00;

c. Third Offense: Revocation and/or cancellation of business permit or any other licenses granted by the City Government.

The said salient features shall be posted in both English and Filipino.

Section 3. The City Health Office being an arm of the Department of Health shall promulgate the implementation of this Ordinance and further tasked to regularly monitor the concerned medical service establishment comply with this Ordinance.

Section 4. Any ordinance/s in conflict or inconsistent with this Ordinance is/are hereby repealed or modified accordingly.

Section 5. This Ordinance shall take effect 15 days after publication.

ENACTED, by the Fourth (4th) Sangguniang Panlungsod of Muntinlupa this 21st day of April 2005, on its 33rd Regular Session.
CONCURRED:

ALLAN REY A. CAMILON
Councilor

RENE CARL S. CAYETANO
Councilor

MA. LUPA BABAÑAN-ECHAVEZ, M.D.
Councilor

ELMER S. ESPELETA
Councilor

MELCHOR R. TEVES
Councilor

FRANCIS IAN T. BAGATSING
Councilor

ALLEN F. AMPAYA
Councilor

MARISSA COLE-RONGAVILLA
Councilor

KEVIN B. DELGADO
Councilor

LUCIO R. CONSTANTINO
Councilor

ATTY. ICASIANO M. DELA REA
Councilor

MAMERTO T. SEVILLA, JR.
Councilor

CHRISTIAN GLENN D. LORICA
Sectoral Representative
President, Federation of
Sangguniang Kabataan

MARIO E. BULAY, JR.
Councilor

ARTEMIO A. SIMUNDAC
Sectoral Representative
President, Association of
Barangay Captains

ABSENT:

BAL NIEFES
Councilor

JOSELITO V. AREVALO
Councilor
I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA C. LAZARTE
Secretary
Sangguniang Panlungsod

ATTESTED:

ATTY. RAUL R. CORRO
Acting Vice Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDE
City Mayor

Date:_____________________

PBS, JR.