

Republika ng Pilipinas

## TANGGAPAN NG SANGGUNIANG PANLUNGSOD Lungsod ng Naga

City Hall Compound, J. Miranda Avenue, Naga City, 4400

www.naga.gov.ph
205-2980 local 2060



## ORDINANCE NO. 2022-011

AN ORDINANCE ESTABLISHING THE NAGA CITY DIALYSIS CENTER LOCATED AT THE NEW MODERN NAGA CITY HOSPITAL II, BARANGAY BALATAS, CITY OF NAGA:-

Author:

Hon. Jose C. Rañola, M.D.

RATIONALE

The 1987 Constitution of the Republic of the Philippines declares that the State shall protect and promote the right to health of the people and instill health consciousness among them. Likewise, under Section 16 or the General Welfare Clause of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", local government units are mandated to ensure and support the promotion of health and safety of their constituents within their respective territorial jurisdictions.

In this regard, a modern three-storey Naga City Hospital II, where a dialysis clinic is sought to be established, will soon rise in a very spacious area at Barangay Balatas, this city. The City Government of Naga aims to provide multiple dialysis machines and a clinic for patients needing chronic maintenance dialysis for endstage renal disease on an outpatient basis.

## AN ORDINANCE ESTABLISHING THE NAGA CITY DIALYSIS CENTER LOCATED AT THE NEW MODERN NAGA CITY HOSPITAL II, BARANGAY BALATAS, CITY OF NAGA:-

Be it ordained by the Sangguniang Panlungsod of Naga, that:

SECTION 1. - Title. - This ordinance shall be known as the "Establishment of the Naga City Dialysis Center" Ordinance.

**SECTION 2.** - Purpose. - The primary objective of this ordinance is to provide an adequate number of dialysis machines to serve the increasing number of patients needing chronic maintenance dialysis for end-stage renal disease.

**SECTION 3.** - Declaration of Policy. - It is the declared policy of the City Government of Naga to promote and protect the health and welfare of its constituents by establishing a sustained access to health programs and services on kidney health.

**SECTION 4.** - Definition of Terms. - As used in this Ordinance, the terms below shall have the meanings ascribed to them in this section. Any words or terms not defined shall be given their plain and customary meaning, unless the context requires otherwise, and shall be interpreted in a manner consistent with the purpose and spirit of this Ordinance.

- a) Hospital refers to the new site of the Naga City Hospital II located at Barangay Balatas, City of Naga;
- b) Supplier's cost per treatment refers to an amount being offered by a supplier or provider of a dialysis system which is stipulated in a procurement contract that the procuring entity agreed to pay;

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- c) Professional Fee is an amount due to a medical specialist/nephrologist contracted by the City Government of Naga to render medical services to the dialysis patients. The amount is fixed and agreed upon by the contracting parties;
- d) Service Fee is a charge for the services rendered by the Dialysis Clinic in performing dialysis treatment and care;
- e) New Dialyzer refers to the first use of a dialyzer in a hemodialysis process that is exclusively belonging to a patient;
- f) Re-use dialyzer refers to the repeated use of a dialyzer (maximum of 9 uses) in a hemodialysis process by the patient owner.

**SECTION 5.** Dialysis Treatment Service Fee. - The rate of dialysis treatment service shall be determined based on the following:

- a. A service fee of not more than 150% of the supplier's cost per treatment with a new dialyzer and 180% for a re-use dialyzer; and
- b. Professional fee of the medical specialist/nephrologist.

**SECTION 6.** Schedule of Payment by Patient. - The patient shall be given an option to choose the manner of payment that best fits his/her financial capability, to wit:

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- a) Actual Rate of Treatment The patient pays the actual rate of every dialysis treatment. If the patient is a PhilHealth member, the patient pays only the remaining balance or excess after deducting the allowable reimbursement on the procedure.
- b) Pass-on Rate per Treatment It is a uniform schedule of payment that the patient pays every treatment which includes the cost of the necessary laboratory tests. If the patient is a PhilHealth member, the total amount of the package is reduced by the PhilHealth allowable reimbursements on the procedures for the same year.

## SECTION 7. Discounts and Cost-Sharing Scheme:

- a. The 20% discount for Senior Citizens and Persons with Disabilities (PWDS) shall be applied on the gross amount of the treatment service fee as well as the corresponding laboratory tests.
- A)
- b. A cost-sharing scheme is also allowed wherein a representative department/unit of this local government, other concerned neighboring local government units, and private agencies guarantee to pay the share of the cost for the indigent patient, subject to the guidelines on the classification of patients and availment of medical social services under the DOH-AO No. 51-A, series of 2000.

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c. An employee of the City Government of Naga is also entitled to a discount on treatment services rendered by the dialysis center.

Fund. - The collection generated from the dialysis treatment services shall accrue to the income of the Center. It shall primarily provide for the operation of the Dialysis Center.

**SECTION 9. - Funding.** - The funding for the construction and administrative operations of the center amounting to more or less Twenty Million Pesos (P20,000,000.00) shall be sourced from the funds to be provided by the PAGCOR and the DOH as well as from the identified surplus of the City of Naga.

SECTION 10. Implementing Rules and Regulations (IRR). - The Chief of Hospital and the Local Health Board shall jointly formulate rules and regulations for the strict and smooth implementation of this Ordinance within thirty (30) days after its approval by the Sangguniang Panlungsod, including, but not limited to, the establishment of policies for efficient billing and collection of charges and fees, proper assessment and classification of dialysis treatment services, and adjustment of rates herein established from time to time without necessity of amending this Ordinance, subject to review and assessment on its operation.

**SECTION 11. - Repealing Clause.** - All ordinances, executive orders, or other issuances which are inconsistent or in conflict with the provisions of this ordinance are hereby deemed amended, modified, or repealed accordingly.

**SECTION 12. - Separability Clause.** - Any provision of this ordinance found to be in violation of the Constitution or invalid shall not impair the other provisions or parts thereof which shall remain in full force and effect.

**SECTION 13. - Effectivity.** - This ordinance shall take effect after publication in a newspaper of general circulation in the City of Naga.

ENACTED: February 8, 2022

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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

GIL A. DE LA TORRE Secretary to the Sanguniang Panlungsod

CECILIA B. VELUZ-DE ASIS

City Vice Mayor & Presiding Officer

APPROVED:

ELSON S. LEGACION

Giffy Mayor 2/10/22