

DRAFT ORDINANCE NO. 1907 -004

AN ORDINANCE REQUIRING COORDINATION AND APPROVAL OF THE MUNICIPAL GOVERNMENT OF ANY MEDICAL MISSION CONDUCTED BY PRIVATE ENTITIES AND PROVIDING PENALTIES NOR VIOLATIONS THEREOF.

AUTHORED & SPONSORED BY: HON. KYLE GEORIC Y. GACULA.

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

WHEREAS, RA 7160, Section 16 grants local government units to exercise its police power for the general welfare of its people;

WHEREAS, the Municipality recognizes the private sector as important partners in the promotion of the health of the people of Taytay;

WHEREAS, there is a need to monitor compliance by Medical Missions conducted by private sector entities with basic health and safety standards to ensure the well-being of the people of the municipality

NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF MUNICIPALITY OF TAYTAY IN REGULAR SESSION ASSEMBLED:

SECTION 1. DEFINITION OF TERMS:

1. **MEDICAL MISSION**- any voluntary and non-profit activity providing free or discounted medical services which includes, but is not limited to providing medical advice, diagnosis, prescribing and administering drugs, vaccines, and the like. For purposes of this ordinance, Dental Missions shall be subsumed under the term Medical Mission;
2. **MEDICAL MISSION PERMIT**- a permit issued by the Municipal Health Office signifying the authority of the applicant to conduct a Medical Mission;
3. **MEDICAL MISSION REPORT**- a form to be submitted by the applicant detailing the names of those who availed of the services of the medical mission as well as the services performed, to be submitted to the Municipal Health Office;

SECTION 2. COVERAGE - All Medical Missions not conducted by the Municipal Government, Provincial Government or the Department of Health (DOH) shall be covered by the provisions of this ordinance. Medical Missions conducted by foreign governments with diplomatic relations with the Philippines shall be exempt from the provisions of this ordinance, *provided*, it has previously coordinated with the proper national government agency. Medical missions in the form of public private partnerships with the proper national government agency shall likewise be exempt from the coverage of this ordinance.

SECTION 3. COORDINATION WITH THE MUNICIPAL GOVERNMENT

1. All persons covered by the provisions of this ordinance (hereinafter referred to as applicant) shall inform the Municipal Health Office at least fifteen (15) days before the intended Medical Mission that it is planning to conduct the same;
2. The applicant shall submit logistical details of the Medical Mission, including but not limited to the names and PRC numbers of the doctors present, the names of the nurses or other medical professionals, and the medicines and drugs planned to be administered. The Municipal Health Office may require submission of additional information or documents in its discretion;

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3. Within ten (10) days from the planned medical mission, the applicant shall deposit all the drugs it plans to administer with the Municipal Health Office for purposes of determining compliance with any law or ordinance as well as to ensure its viability at the time of the Medical Mission;
4. The Municipal Health Office shall issue the Medical Mission Permit and all other necessary permits at least five (5) days from the submission of all information, items, and documents required of by the said office;
5. Representatives from the Municipal Health Office shall at all times be present during the conduct of the Medical Missions to ensure compliance with this ordinance;
6. Within five (5) days from the conduct of the Medical Mission, the applicant shall submit a Medical Mission Report to the Municipal Health Office the names of those who availed of the services of the Medical Mission and the medical services provided, unless the disclosure of these information would violate any law or the Rules of Court promulgated by the Supreme Court. The applicant shall submit a statement to that effect to the Municipal Health Office in lieu of a specific entry in the Medical Mission Report;

SECTION 4. DISPERSAL- any medical mission that does not comply with the provisions of this ordinance may be summarily abated by the Municipal Government. In all such abatements, agents or representatives of the Municipal Government shall exercise restraint to protect the welfare of all involved.

SECTION 5. PENALTIES- any person who knowingly and willingly performed medical services during the medical mission fully knowing that it did not comply with the provisions of this ordinance shall suffer the penalty of five (5) years imprisonment.

SECTION 6. REPEALING CLAUSE- All ordinances and resolutions, or parts thereof inconsistent with the provisions hereof shall be repealed or modified accordingly.

SECTION 7. SEPARABILITY CLAUSE- If for any reason any provision/s of this ordinance shall be found unconstitutional by competent authority, the other provision/s not so declared to be unconstitutional shall remain valid.

SECTION 8. EFFECTIVITY- This ordinance shall take effect (10) days after its publication in a local newspaper of general circulation and postings in conspicuous places in the Municipality.