

FINANCED

Republic of the Philippines  
Bangsamoro Autonomous Region in Muslim Mindanao  
**BANGSAMORO TRANSITION AUTHORITY 2**  
Cotabato City

Second Regular Session

**BTA PARLIAMENT**  
BTA Parliament Bill No. 225

Bangsamoro Autonomous Region in Muslim Mindanao  
Parliament  
BILLS AND INDEX DIVISION  
**RECEIVED**  
Name: HADELAH DIMPATAN Signature: [Signature]  
Date: JUL 12 2023 Time: 1:07 PM

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Introduced by:  
**MP ENGR. BAIN TAN ADIL-AMPATUAN, MNSA**

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**AN ACT**  
**UPGRADING THE MAGUINDANAO PROVINCIAL HOSPITAL (MPH) TO A LEVEL III HOSPITAL AND THEREBY INCREASING ITS BED CAPACITY TO THREE HUNDRED FIFTY (350), APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES<sup>1</sup>**

**Explanatory Note**

One of the fundamental state policies of the Philippines provided under Section 5, Article II of the 1987 Constitution states that the State shall protect and promote the right to health of the people and instill health consciousness among them.

Additionally, the Constitution also provides on Section 11, Article XIII 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. There shall be priority for the needs of the underprivileged sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers.

In the Bangsamoro Autonomous Region, Section 3, Article V of Republic Act No. 11054 or the Bangsamoro Organic Law (BOL) provides that as part of the general welfare of the people, the Bangsamoro Government shall ensure, support, and promote the health and safety of its people.

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<sup>1</sup> Inspired from the bill originally filed by MP Zul Qarney M. Abas, M.D., titled "An Act Upgrading the Maguindanao Provincial Hospital From its Present Level 2 Classification to be Accredited as a Level 3 Hospital with 350 Bed Capacity and Appropriating Fund Therefor and For Other Purposes"

Furthermore, Section 22, Article IX of the BOL provides that the Bangsamoro Government shall adopt a policy on health that provides for a comprehensive and integrated health service delivery for its constituents. It shall establish by law a general hospital system to serve the health requirements of its people and ensure that the individual basic right to life shall be attainable through the prompt intervention of excellent and affordable medical services.

Furthermore, the same Article states that the Bangsamoro Government shall protect and promote the right to health of the people and instill health consciousness among them. It shall also uphold the peoples' right to have access to essential goods health, and other social services that promote their well-being. The Parliament shall enact appropriate legislation towards this end, including the regulation of the manufacture and distribution of food, drinks, drugs, and tobacco in accordance with the policies, rules and regulations of concerned national government agencies. The Bangsamoro Government shall assist and cooperate with the National Government in the provision of quarantine services for the prevention and control of epidemic and other communicable diseases.

With these Articles in place, it is imperative that Health is a fundamental right of every Bangsamoro. The right to health essentially provides that everyone should have access to the health services they need, when and where they need them, without the consequence of suffering financial hardship. To make this right to health a reality, every Bangsamoro must have access to high quality services for their own health, including the health of their families, and the community they are in.

Hospitals complement and amplify the effectiveness of many other parts of the health system, providing continuous availability of services for acute and complex conditions. They concentrate scarce resources within well-planned referral networks to respond efficiently to population health needs. Overall, Hospitals are not only an integral institution of the health system, but they are also an essential element of Universal Health Coverage (UHC) and are critical to meeting the Sustainable Development Goals (SDG).<sup>2</sup> Achieving Universal Health Coverage means that all people have access to the full range of quality health services they need, when and where they need them, without financial hardship. It covers the full continuum of essential health services, from health promotion to prevention, treatment, rehabilitation and palliative care.<sup>3</sup>

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<sup>2</sup> [https://www.who.int/health-topics/hospitals#tab=tab\\_1](https://www.who.int/health-topics/hospitals#tab=tab_1)

<sup>3</sup> [https://www.who.int/health-topics/universal-health-coverage#tab=tab\\_1](https://www.who.int/health-topics/universal-health-coverage#tab=tab_1)

The Maguindanao Provincial Hospital located in Datu Hoffer Ampatuan, Maguindanao del Sur is a Level II hospital that possesses a 299-bed capacity. It caters to the medical and health needs of the people of Maguindanao del Sur and other nearby areas. The rapid growth in population in the region being accommodated by the hospital with its present capacity and equipment understandably dictates the necessity of an upgrade to provide better health services and facilities. The upgrade must be coupled with the modernization of facilities that shall relevantly and sufficiently address the issues found inherently in its present condition and operations. Parallel to the rise of the population is the immediate demand, where upgrading the Maguindanao Provincial Hospital from Level II to Level III classification with 350-bed capacity has become urgent. Moreover, the COVID-19 Pandemic emphasized the need for additional health facilities in Maguindanao del Sur. Thus, there is a vital need to effectively and efficiently respond to the needs of the people by catering to the most basic health needs of the patients, most especially the underprivileged.

The upgrading of the Maguindanao Provincial Hospital, as proposed in this measure, seeks to meet the increasing demand of the Maguindanaons for quality health care. As it is the obligation of the Bangsamoro Government to improve the provisions of health care to the populace, this measure enables the people to have better access to the health system, through an upgraded and more capable facility.

In view of the foregoing, the approval of this measure is earnestly sought.

  
ENGR. BAIN TAN ADIL-AMPATUAN, MNSA  
Author

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*Second Regular Session*

**BTA PARLIAMENT**  
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BILLS AND INDEX DIVISION  
**RECEIVED**  
Name: NOELAH DIVARTUN Signature:   
Date: JUL 12 2023 Time: 1:50 PM

**Introduced by**

MP Engr. Baintan Adil-Ampatuan, MNSA, MP Dr. Kadil Sinolinding, Jr., and  
MP Atty. Sittie Fahanie S. Uy-Oyod

**Co-Authored by**

MP Atty. Rasol Mitmug, Jr. MP Amilbahar S. Mawallil, MPSA; MP Atty. Laisa M. Alamia, MNSA; MP Atty. Suharto M. Ambolodto, MNSA; MP Don Mustapha A. Loong, MPSA; MP Rasul E. Ismael; MP Khalid Ma-Amor Hadji Abdullah; MP Jaafar Apollo Mikhail L. Matalam; MP Bassir D. Utto; MP Tawakal Midtimbang

**AN ACT**

**UPGRADING THE MAGUINDANAO PROVINCIAL HOSPITAL (MPH) TO A LEVEL III HOSPITAL AND THEREBY INCREASING ITS BED CAPACITY TO THREE HUNDRED FIFTY (350), APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

*Be it enacted by the Parliament of the Bangsamoro Autonomous Region in Muslim Mindanao assembled:*

**Section 1. Title.** - This Act shall be known as the "*Maguindanao Provincial Hospital Upgrading Act of 2023*".

**Section 2. Declaration of Policy.** - It is the declared policy of the Bangsamoro Government to protect and promote the right of the health of the people and instill health consciousness among them. Furthermore, it shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health, and other social services to all the people at an affordable cost.

**Section 3. Objectives.** - This Act generally aims to upgrade the Maguindanao Provincial Hospital to a Level III hospital with 350 bed capacity. Specifically, it has the following objectives:

- a) Integrate in its system of operations all pertinent and relevant provisions under Republic Act No. 11223, otherwise known as the Universal Health Care (UHC) Act;
- b) Improve and upgrade the government health services and facilities of the Maguindanao Provincial Hospital for the benefit of the general public, especially residents of Maguindanao del Sur and nearby areas;
- c) Provide all essential and quality health services to the people, especially the sick, the poor, and marginalized individuals from Maguindanao del Sur; and
- d) Improve and uplift the morale, social, and economic well-being of health workers of the Maguindanao Provincial Hospital.

**Section 4. Definition of Terms.** - For the purposes of this Act, the following terms are hereby defined as follows:

1. *Classification Level* - refers to the classification of hospitals based on their functional capacity as prescribed by the Department of Health under Administrative Order No. 2012-0012 effective July 18, 2012 and subsequent amendment thereto as Administrative Order No. 2012-0012a dated September 03, 2015.
2. *Level I* - The hospital shall have as minimum the services stipulated under Rule V. B. 1. b. 1. of the Department of Health Administrative Order No. 2012-0012", including, but not limited to, the following:
  - 2.1. A staff of qualified medical, allied medical and administrative personnel headed by a physician duly licensed by PRC;
  - 2.2. Bed space for its authorized bed capacity in accordance with DOH guidelines in the planning and design of hospitals;
  - 2.3. An operating room with standard equipment and provision of sterilization of equipment and supplies in accordance with:
    - a. DOH Reference Plan in the Planning and Design of an Operating Room/Theater; and
    - b. DOH Guidelines on Cleaning, Disinfection and Sterilization of Reusable Medical Devices in Hospital Facilities in the Philippines.
  - 2.4. A post-operative recovery room;
  - 2.5. Maternity facilities, consisting of ward(s), room(s), a delivery room, exclusively for maternity patients and newborns;

- 2.6. Isolation facilities with proper procedures for the care and control of infectious and communicable diseases as well as for the prevention of cross infections;
  - 2.7. A separate dental section/clinic;
  - 2.8. Provision for blood station;
  - 2.9. A DOH licensed secondary clinical laboratory with the services of a consulting pathologist;
  - 2.10. A DOH licensed level 1 imaging facility with the services of a consulting radiologist; and
  - 2.11. A DOH licensed pharmacy.
3. *Level II* - The hospital shall have as minimum, all of Level 1 capacity, including, but not limited to the following:
- 3.1. An organized staff of qualified and competent personnel with chief of hospital/medical director and appropriate board-certified clinical department heads;
  - 3.2. Departmentalized and equipped with the services capabilities needed to support board certified/eligible medical specialists and other licensed physicians rendering services in the specialties of Medicine, Pediatrics, Obstetrics and Gynecology, Surgery; their subspecialties and ancillary services;
  - 3.3. Provision for general ICU for critical ill patients;
  - 3.4. Provision for NICU (Neonatal Intensive Care Unit);
  - 3.5. Provision for HRP (High Risk Pregnancy Unit);
  - 3.6. Provision for respiratory therapy services;
  - 3.7. A DOH licensed tertiary clinical laboratory; and
  - 3.8. A DOH licensed level 2 imaging facility with mobile x-ray inside the institution and with capability for contrast examinations.
4. *Level III* - The hospital shall have as minimum, all of Level 2 capacity, including, but not limited to, the following:

- 4.1 Teaching and/or training hospital with accredited residency training program for physicians in the four (4) major specialties, namely: Medicine, Pediatrics, Obstetrics and Gynecology, and Surgery;
  - 4.2 Provision for physical medicine and rehabilitation unit;
  - 4.3 Provision for ambulatory surgical clinic;
  - 4.4 Provision for dialysis facility;
  - 4.5 Provision for blood bank;
  - 4.6 A DOH licensed tertiary clinical laboratory with standard equipment/reagents/supplies necessary for the performance of histopathology examinations; and
  - 4.7 A DOH licensed level III imaging facility with interventional radiology.
5. *Upgrading* - refers to the reclassification of a hospital into a level higher than its present state by providing and complying with the requirements prescribed for its accreditation to the higher level aspired for in accordance with the Department of Health Administrative Order No. 2012-0012 effective July 18, 2012 and subsequent amendment thereto as Administrative Order No. 2012-0012a dated September 03, 2015.

***Section 5. Upgrading of the Maguindanao Provincial Hospital.*** - The Maguindanao Provincial Hospital located in Datu Hoffer Ampatuan, Maguindanao del Sur is hereby upgraded from its present Level II classification into a Level III hospital with a three hundred fifty (350) bed capacity in accordance with the national classification level standards set by the Department of Health - Bureau of Health Facilities and Services as defined under Section 4 of this Act to gain legitimate accreditation.

***Section 6. Existing Physical Structures and Services.*** - The existing physical structures, professional health care services, facilities and equipment are likewise upgraded to conform with and be commensurate to the increase in bed capacity.

***Section 7. Existing Workforce.*** - The existing workforce of the hospital, which includes doctors, nurses, and other health care practitioners and support personnel, shall be increased correspondingly. The Ministry of Health, in coordination with the Ministry of Finance, Budget and Management, shall determine the additional plantilla positions to be created and filled up in coordination with the management of the Maguindanao Provincial Hospital.

**Section 8. Administration, Management and Operation.** - The upgraded Maguindanao Provincial Hospital shall remain under the administrative supervision of the Ministry of Health who is hereby authorized to establish and/or approve the appropriate organizational structure and personnel for the management and operations of the herein-mentioned upgraded facility.

**Section 9. Implementation.** - Within sixty (60) days from the promulgation of this Act, the necessary rules and regulations for the proper implementation of its provision shall be formulated by the Ministry of Health (MOH).

**Section 10. Appropriations.** - The Ministry of Health shall immediately include in the Ministry's programs the implementation of this Act, the funding of which shall be included in the annual Bangsamoro Appropriations Act.

**Section 11. Separability Clause.** - If for any cause, any part of this Act is declared unconstitutional or contrary to the provisions of Bangsamoro Organic Law, the rest of the provisions shall remain in force and effect.

**Section 12. Repealing Clause.** - All laws, orders, rules, and regulations which are inconsistent with the provisions of this Act, are hereby repealed, modified, superseded, or amended accordingly.

**Section 13. Effectivity.** - This Act shall take effect after fifteen (15) days following its complete publication in a newspaper of general circulation in the Bangsamoro Autonomous Region in Muslim Mindanao.

Adopted,

  
MP ENGR. BAJANTAN ADIL-AMPATUAN, MNSA  
Author