

**REPUBLIKA NG PILIPINAS  
TANGGAPAN NG SANGGUNIANG PANLUNGSOD  
LUNGSOD NG BAKOLOD  
-oOo-**

**CITY ORDINANCE NO. 527  
October 6, 2010**

**AN ORDINANCE ESTABLISHING THE BACOLOD CITY LYING-IN AND  
BIRTHING HOME CENTER.**

**WHEREAS**, in view of the policy of the State to protect and promote the right to health of the people and instill health consciousness among them, pursuant to Article II Section 15 of the 1987 Philippine Constitution, the City of Bacolod laid importance in keeping the health of its people within its priorities;

**WHEREAS**, Section 17, par. A and B.1.ii of R.A. 7160 mandates that every local government unit shall exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate or incidental to efficient and effective provision of the basic services and facilities to health services which include the implementation of programs and projects on primary health care, maternal and child care, and so forth;

**WHEREAS**, with the continued increase of patients in our regional hospital, the Corazon Locsin Montelibano Memorial Regional Hospital (CLMMRH) and private hospitals, the creation of a Lying-In and Birthing Home Center will be of great help to our constituents and at the same time a better solution for this emerging problem;

**WHEREAS**, considering the high cost of medical care and/or other health care services offered by most private hospitals, which causes great burden to majority of Bacoleños, especially to our less privileged constituents, the establishment and/or creation of the Bacolod City Lying-In and Birthing Home Center will definitely provide assistance and support for the childbirth, pregnancy and maternal services needed by our constituents and will ease their financial burdens for better quality health care needs;

**WHEREAS**, considering that the Local Civil Registrar Office and some government offices located at Galo Street, Bacolod City were transferred to the New Government Center and to fully utilize the said vacated area, the same was converted into a lying-in and birthing home center;

**WHEREAS**, the City Government of Bacolod entered into a Memorandum of Agreement with the Riverside Medical Center Inc. for the conversion of the vacated government offices into a Lying-In and Birthing Home Center;

City Ordinance No. 527  
October 6, 2010  
-----

**WHEREAS**, to improve health care assistance and to provide quality medical services to our residents, particularly in giving pregnancy and maternity support, the Bacolod City Government took cognizance of the necessity to create the Lying-In and Birthing Home Center;

**NOW THEREFORE**, premises considered, be it resolved as it is hereby resolved in a session duly assembled that an ordinance be passed as follows:

**Section 1. TITLE** - This Ordinance shall be known as “**AN ORDINANCE ESTABLISHING THE BACOLOD CITY LYING-IN AND BIRTHING HOME CENTER**”

**Section 2. PURPOSE** - To provide guaranteed quality birthing services to ensure the safety of the life of the mother and child;

**Section 3. COVERAGE** - The services in the Lying-In and Birthing Home Center shall be made available to all residents of Bacolod City and may accommodate non-residents only in extreme and emergency cases as when the patient is at the crowning stage of delivery.

Patients must present their Pre-natal record upon admission in order to identify their residency.

**Section 4. DEFINITION OF TERMS** - Below are the definition of terms:

- a. PHILHEALTH – Philippine Health Insurance Corporation;
- b. City – City of Bacolod;
- c. CHO – City Health Office;
- d. DOH – Department of Health;
- e. DSSD – Department of Social Services and Development;
- f. Medical Doctor – a licensed medical doctor who is duly employed as regular and permanent employee of the City;
- g. Obstetrician Gynecologist – a licensed medical specialist who is responsible for helping women to have healthy pregnancies and healthy newborns and assigned at the lying-in and birthing home center of the City;

City Ordinance No. 527  
October 6, 2010

-----

- h. Pediatrician – a licensed medical specialist who deals with the medical care of infants and children;

- i. Nurse – a licensed nurse who is duly employed as regular and permanent employee of the City;
- j. Midwife – a licensed midwife who is duly employed as regular, permanent and/or contractual employee of the City and assists the patient in childbirth;
- k. Casual Midwife/Nurses – licensed midwife/nurse employed by the City as casual or job order employees;
- l. Casual Worker – a casual and/or job order worker assigned to CHO;
- m. Collection Staff/Officer – a bonded regular/permanent employee of the City who will take charge and be primarily responsible for the financial matters of the Center;
- n. Student nurse – a nursing student rendering her/his services without receiving any remuneration;
- o. Patient – a pregnant woman who avails the services of the City's lying-in and birthing home center;
- p. PHILHEALTH Member Patient – a patient who is a duly registered member of the Philippine Health Insurance;
- q. Resident – a patient who is a bona fide resident of the City;
- r. Clinical Instructors (CI) – a non-employee of the City who will directly supervise the nurse volunteer and students.

**Section 5. Supervision and Control of the Lying-In and Birthing Home Center** – The operations and/or administration of the Bacolod City Lying-In and Birthing Home Center shall be under the direct supervision and control of the City Health Office;

**Section 6. Time and day of Operations** – The CHO shall see to it that the Lying-In and Birthing Home Center shall operate twenty four (24) hours a day from Monday to Sunday, including all the Holidays;

City Ordinance No. 527  
 October 6, 2010  
 -----

**Section 7. Staffing and Management** – The Bacolod City Lying-In and Birthing Home Center shall be administered and operated by the City Health Office personnel and for the purpose of the said center, a **separate division** shall be created, which shall be composed of the following:

- A. City Health Officer : Overall Officer-in-Charge of the Lying-In and Birthing Home Center;
- B. Assistant City Health Officer: acts in the absence and in behalf of the City Health Officer and assists the City Health Officer in his/her duties;
- C. Obstetrician Gynecologist: A licensed medical specialist who is responsible for helping women to have healthy pregnancies and healthy newborns;
- D. Pediatrician : A licensed medical specialist who deals with the medical care of infants and children;
- E. Nurse Supervisor : Supervise all the nursing staff and midwives;
- F. Nurses : Serve as senior staff who will attend to the needs of the patients;
- G. Midwives : Assists the patient in childbirth;
- H. Medical Technologist II : Conducts medical laboratory tests and analysis to assist in the diagnosis and treatment of the patients;
- I. Nursing Attendants / Casual/Job Order Midwives/Nurses/Volunteer Nurses/Students: Assist the regular personnel of the Center;
- J. Health Education and Promotion Officer III : conducts health teachings to mothers regarding their pregnancy and baby's care;
- K. Casual Employee : Maintains the cleanliness of the entire center and other task to be assigned from time to time;
- L. Collection Staff/Officer : A regular/permanent bonded employee of the City who will take charge and be primarily responsible for all the financial matters of the Center;

City Ordinance No. 527  
 October 6, 2010

-----

- M. Administrative Officer IV : Supervise the maintenance and cleanliness of the Lying-In center including the preparation and follow-up of PhilHealth papers/documents;
- N. Supply Officer II : In-charge of all the procurements, such as medical and office supplies and equipment needed at the Lying-in Center;

O. Sanitation Inspector V and VI : Checks the water supply ensuring that its chlorine content is suitable for drinking and will not harm the patients and the baby, also checks the proper waste management of the facility;

P. Driver : Drives and maintains the ambulance assigned to the Lying-In and Birthing Home Center.

**Section 8. Overtime Services** – Availment of Overtime Fees of the Lying-In and Birthing Home Center personnel and other related fees shall conform with the existing rules and regulations issued by the Civil Service Commission;

**Section 9. Service Fees** – The patient of the City’s Lying-In and Birthing Home Center shall pay for the services rendered as follows:

**NON-HOLDERS OF PHILHEALTH CARD (NON-MEMBERS)**

TYPE OF PATIENT	DELIVERY FEES
RESIDENT	PHP 1,200.00
NON-RESIDENT	PHP 2,000.00

For services offered at the Lying-In and Birthing Home Center, the fees to be charged to Non-holders of PhilHealth Card will be in accordance with the above-cited rate for all normal deliveries, Five Hundred Pesos (PHP 500.00) of which will be charged to the student nurses subject to certain rules and requirements set forth by the City.

All Service Fees shall be exclusive of the new born screening and other charges that may be imposed upon by the DOH.

**Section 10. Exemptions** – The Bacolod City Lying-In and Birthing Home Center will not accommodate patients who will deliver through Caesarian Section;

City Ordinance No. 527  
October 6, 2010

-----

Moreover, the following patients are exempted from paying the Service Fees as provided for under Section 9 of this Ordinance, to wit:

- 10.1** Indigent residents with duly secured Certification from DSSD approved by the City Mayor and/or any of his Representative/s, Certificate of Indigency from the Barangay Captain concerned and also presents her voter’s ID.
- 10.2** PHILHEALTH Members – No fees shall be collected from PHILHEALTH member/patient.

**Section 11. Dormitory Fees** – Student nurses who will use/occupy the dormitory of the Bacolod City Lying-In and Birthing Home Center shall be charged Fifty

Pesos (PHP 50.00) per day representing dormitory fees and the same shall be payable in accordance with Section 13 of this Ordinance.

**Section 12. Increase of Fees** – The service fees of the City’s Lying-In and Birthing Home Center shall be reviewed every three (3) years by the Division created by the City Health Office under Section 7 of this Ordinance.

**Section 13. Where to Pay** – The patient will directly pay to the Collection Staff/Officer assigned at the CHO, who is a duly authorized bonded officer of the City.

**Section 14. Designation of Personnel** – The City Health Office (CHO) shall observe and/or designate the following personnel to ensure efficient and effective operations of the Lying-In and Birthing Home Center.

For every shift, the CHO shall designate the following personnel:

- One (1) Medical Doctor / OB Gynecologist / Pediatrician
- One (1) Nurse
- Two (2) Midwives
- Ambulance Driver

The workforce at the Lying-in and Birthing Home Center shall also include:

- Casual / Job Order and/or Student Nurses
- Casual / Job Order Workers

**14.1** The Bacolod City Lying-In and Birthing Home Center shall operate in three (3) shift basis, as follows:

City Ordinance No. 527  
October 6, 2010

-----

Page 7

- a. First Shift – 7:00 AM to 3:00 PM
- b. Second Shift - 3:00 PM to 11:00 PM
- c. Third Shift - 11:00 PM to 7:00 AM

**Section 15. Creation of New Positions** – There is hereby created four (4) positions of Medical Officer III who are licensed Medical Doctors whose duty is to manage the operations of the Lying-In and Birthing Home Center.

**Section 16. Budgetary Requirements** – The budget allocation shall not be less than **Four Million Pesos (PHP 4,000,000.00)** per annum and shall be included in the Annual Budget of the City under the City Health Office (CHO).

**Section 17. Collection of Fees** – All fees collected relative to the operations of the Lying-In and Birthing Home Center will be directly deposited to a fund exclusively created for this purpose.

**Section 18. Management and Disposition of Fund** – The proceeds, use, management and disposition of the fund shall be governed by the following:

- 18.1** The Local Health Board shall have authority to decide on matters regarding the management, use and disposition of the fund of the Lying-In and Birthing Home Center;
- 18.2** The disbursement and liquidation of the fund shall be in accordance with pertinent government accounting and audit rules and regulations to be audited accordingly by the COA auditors;
- 18.3** The following shall be charged to the fund:
  - 18.3.1** All drugs, medicines and supplies necessary in the operations of the Lying-In and Birthing Home Center;
  - 18.3.2** Necessary equipment for the improvement of the Lying-In and Birthing Home Center services;
  - 18.3.3** Fuel, oil and maintenance cost of the ambulance assigned to the center;
  - 18.3.4** Repairs and maintenance of the Lying-In and Birthing Home Center facilities and equipment; and
  - 18.3.5** Other administrative expenses.

City Ordinance No. 527  
October 6, 2010

-----

Page 8

**Section 19. Classification as an Economic Enterprise** – The Lying-In and Birthing Home Center is an income generating institution and shall therefore be classified as an economic enterprise.

**Section 20. Continuing Education and Advocacy Program** – The CHO shall include in their annual plans and programs the continuing education and advocacy program regarding the benefits of the Lying-In and Birthing Home Center to ensure safety of the life of both mother and child.

**Section 21. Compliance of Minimum Requirement** – The Local Chief Executive (LCE) shall see to it through the recommendation of the CHO to comply with the minimum requirements set by DOH regarding the operations of Lying-In and Birthing Home Center.

**Section 22. Adoption of Related Laws** – The provisions of Republic Act No. 9173 otherwise known as the Philippine Nursing Act of 2002, Republic Act 2382 otherwise known as The Medical Act of 1959, as amended and other related laws are adopted by way of reference for negligent acts of the Lying-In personnel resulting to injury or death of the patient and/or her newborn.

**Section 23. Penalty** – Any Lying-In and Birthing Home Center personnel who will violate this Ordinance shall be subject to disciplinary action in accordance with the rules and regulations set forth by the Civil Service Commission or Contract of Employment/Services, whichever is applicable.

**Section 24. Separability Clause** – If any provision of this Ordinance is declared void or invalid, the other provisions not affected thereby shall remain valid.

**Section 25. Repealing Clause** – All Ordinances, local rules and regulations or parts thereof inconsistent with this Ordinance are hereby repealed, modified or amended accordingly.

**Section 26. Effectivity Clause** – This Ordinance shall take effect immediately upon its approval in accordance with law.

CARRIED BY THE VOTE OF:

Affirmative:

Councilors : El Cid M. Familiaran, Homer Q. Bais, Archie S. Baribar, Roberto M. Rojas, Catalino T. Alisbo, Elmer T. Sy, Sonya M. Verdeflor, Caesar Z. Distrito, Diosdado A. Valenzuela.

City Ordinance No. 527  
October 6, 2010  
-----

Page 9

Negative : N o n e .  
Official Travel: Councilors Em L. Ang and Carlos Jose V. Lopez.  
Official Leave: Councilors Al Victor A. Espino and Kevin Daniel L. Ramos.  
Author : Councilor Roberto M. Rojas.  
Co-Author : Councilor Em L. Ang.  
Passed : October 6, 2010 (14<sup>th</sup> Regular Session)  
Comments : P a s s e d .  
Councilor Dindo C. Ramos was not yet around when this ordinance was passed.

-----

**JUDE THADDEUS A. SAYSON**  
Vice Mayor  
Presiding Officer

ATTESTED:

**HELEN P. LEGASPI**  
Board Secretary IV  
Acting Secretary to the Sanggunian

APPROVED: October, 2010.

**EVELIO R. LEONARDIA**  
City Mayor

NTA/HPL/***jbz***