

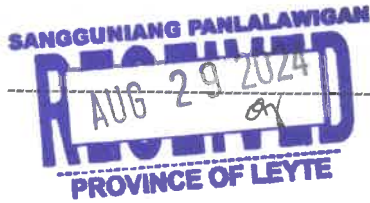
Item No.: 21

Date: 03 2024 SEP



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
August 19, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 07, series of 2024 of the Sangguniang Bayan of Merida, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 07, series of 2024 entitled: “An Ordinance Prescribing Fees and Charges for the Services and Use of Facilities of the Merida Birthing Clinic of Merida, Leyte.

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the Subject Ordinance is in accordance to its power under Section 447 (1)(iii)¹ and Section 447 (2)(ii)² of the Local Government Code of 1991 (R.A 7160).

Please note the following typographical errors: Section 3- “Definition” instead of “Defination”, Section 14(d)- “for” instead of “foe”, Section 15- “repealed” instead of “repeated”.

Recommending the declaration of its validity after correction of above specified errors.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer

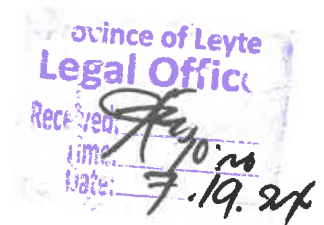
¹ Section 447(1)(iii) Approve ordinance imposing a fine not exceeding Two Thousand Five Hundred pesos (P2,500.00) xxx

² Section 447(2)(ii) Subject to the provisions of Book II of this Code and applicable laws and upon the majority vote of all the members of the Sangguniang bayan, enact Ordinances levying xxx, fees and charges, prescribing the rates thereof for general and specific purposes xxx

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
19 July 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 07, series of 2024 of the MUNICIPALITY OF MERIDA, LEYTE**, entitled: **An Ordinance Prescribing Fees and Charges for the Services and Use of Facilities of the Merida Birthing Clinic of Merida, Leyte.**


ANDRE B. SANICO
Provl. Govt. Assl. Dept. Head

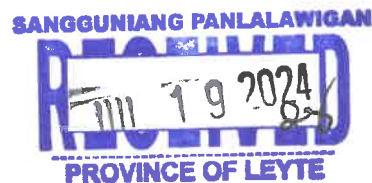


Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MERIDA

OFFICE OF THE SANGGUNIANG BAYAN

18 JULY 2024

THE SANGGUNIANG PANLALAWIGAN OF LEYTE
CAPITOL BUILDING
PALO LEYTE



DEAR HONORABLE MEMBERS;

I have the honor to submit to the Sangguniang Panlalawigan of Leyte copies of **MUNICIPAL ORDINANCE NO. 07, SERIES OF 2024 - "AN ORDINANCE PRESCRIBING FEES AND CHARGES FOR THE SERVICES AND USE OF FACILITIES OF THE MERIDA BIRTHING CLINIC OF MERIDA, LEYTE"** enacted by the 18th Council of this Municipality, for review and consideration.

Hoping everything is in order.

Thank you.

Respectfully,


JOSELITO T. DELOS ANGELES
Secretary to the Sangguniang Bayan



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF MERIDA

OFFICE OF THE SANGGUNIANG BAYAN

SANGGUNIANG PANLALAWIGAN



EXCERPT FROM THE MINUTES OF THE 92ND REGULAR SESSION OF THE SANGGUNIANG BAYAN (18TH COUNCIL) MERIDA, LEYTE HELD ON JUNE 10, 2024 AT THE LEGISLATIVE BUILDING SESSION HALL.

-RESOLUTION NO. 18-24-094-

A RESOLUTION APPROVING MUNICIPAL ORDINANCE NO. 07, SERIES OF 2024 ENTITLED "AN ORDINANCE PRESCRIBING FEES AND CHARGES FOR THE SERVICES AND USE OF FACILITIES OF THE MERIDA BIRTHING CLINIC, MERIDA, LEYTE.

-MUNICIPAL ORDINANCE NO. 07-
Series of 2024

AN ORDINANCE PRESCRIBING FEES AND CHARGES FOR THE SERVICES AND USE OF FACILITIES OF THE MERIDA BIRTHING CLINIC OF MERIDA, LEYTE.

WHEREAS, the 18th Sangguniang Bayan passed an Ordinance No. 07 Series of 2024, otherwise known as the 'An Ordinance Prescribing Fees and Charges for availing the services and use of facilities of the Merida Birthing Clinic'.

WHEREAS, in line with the current updates of PHILHEALTH on Maternal Care Package and Newborn Care package and the needs of Municipality of Merida Birthing Clinic, there is a need to ameliorate the said Ordinance to ensure that the same are responsive to the changing needs of society and Municipality's development pursuant to PHILHEALTH Circulars and Memos;

NOW, THEREFORE, on MASS MOTION by all the Members of this Body present, for the approval of the ordinance on the Third and Final Reading;

BE IT ORDAINED BY THE 18TH Sangguniang Bayan of the Municipality of Merida, Province of Leyte:

SECTION 1. TITLE- This Ordinance shall be known as the "2024 MERIDA BIRTHING CLINIC FEES AND CHARGES OF ITS SERVICES AND USE OF FACILITIES";

SECTION 2. COVERAGE- The provisions of this ordinance shall apply to all patients who may want to avail of the facilities and services of Merida Birthing Clinic irrespective of their social status and place of residence and to provide quality birthing services to ensure the health and safety of both mother and child.

SECTION 3. DEFINATION OF TERMS- The terms hereunder shall have the following meaning;

- a. **Antenatal Care Package - is a PHILHEALTH benefit that covers antenatal or pre-natal care services of expectant mothers. The services shall include prenatal check-ups to screen detect and manage complications of pregnancy; maternal nutrition; immunization; and counseling for healthy lifestyle, breastfeeding and family planning. Previously, the benefit is included in the benefits for normal deliveries but it is not fully utilized because of gaps in the health care delivery network. To promote access of pregnant women to quality antenatal care services that will ensure good outcome of their pregnancy, this benefit is made distinct from the benefits for delivery.**
- b. **Philhealth - Philippine Health Insurance Corporation**
- c. **Patient- Pregnant woman in labor and Newborn babies who avail the birthing services and newborn babies provided with Newborn Care packages.**
- d. **PHILHEALTH Member/Patient - A patient who is registered or enrolled with PHILHEALTH.**
- e. **Indigent - A patient who is duly registered as living below poverty line.**
- f. **Birthing- refers to the Merida Birthing Clinic**
- g. **MUNICIPALITY - Merida**
- h. **MSWDO- Refers to the Municipal Social Welfare and Development Office of the LGU of Merida.**

J. Antonio R. Pineda

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- i. **MCP (Maternity Care Package)** – is a **PHILHEALTH** benefit that covers the complete essential health care services for women about to give birth throughout their pregnancy and normal delivery (during antenatal, intrapartum and immediate postpartum periods) regardless of the type of health care institution where the services are rendered. The services shall include antenatal care, intrapartum monitoring, assist in normal delivery and post- partum care 72 hours and 7 days after delivery.
- j. **Normal Spontaneous delivery (NSD) Package-** is a **PHILHEALTH** benefit that covers only health services during intrapartum and immediate post- partum period for normal delivery regardless of the type of health care institution. The services shall include monitoring and management of labor, assist in normal delivery and post- partum care within 72 hours and 7 days after delivery.
- k. **Newborn Care Package** – a **PHILHEALTH** benefit package for essential health services of the newborn during the first few days of life. It covers essential newborn care, newborn screening and hearing tests.
- l. **In – Patient** – a patient receiving a medical treatment that requires stay in the birthing clinic.
- m. **Out-Patient** – a patient receiving a diagnosis or medical treatment that does not require a stay in the Birthing Clinic.
- n. **Social Status-** the position rank or place of a person in the society, i.e., rich, poor or indigent, etc.
- o. **MERIDA-** refers to the Municipality of Merida, Province of Leyte.

SECTION 4. ADMISSION- a patient who seeks admission in the Merida Birthing Clinic shall not be required to pay a down payment as pre- requisite thereof regardless of his age, social status, or place of residence. The patient, or his spouse or other immediate member of his family, shall, however, fill up any medical documents as may be asked by the Merida Birthing Clinic administration for record purposes.

SECTION 5. SPECIAL PRIVILEGE FOR MERIDA INDIGENT PATIENTS- a patient who is indigent and a bonafide resident of Merida is hereby exempted from payment of all fees charges for availing of the facilities and services of the Merida Birthing Clinic.

SECTION 6. AMBULANCE SERVICE- the vehicle intended for the transport of the Merida Birthing Clinic patients shall be ready and available 24 hours a day, 7 days a week. However, the vehicle shall be used only at the disposal of any of the Merida Birthing Clinic Doctors, whosever may be the available, or, in their absence, of any of the Merida Birthing Clinic personnel who may be designated for the purpose.

SECTION 7. FACILITY AND SERVICES FEES/ CHARGES –the following are the fees or charges for availing of the facilities and services of the Merida Birthing clinic

a. MATERNAL CARE PACKAGE

Facility and Services	Health Services	Amount
Maternity Package (MCPO1)	Prenatal, Normal Delivery and Postpartum	PHP 10,400.00
Normal Spontaneous Delivery Package (NSDO1)	Normal Delivery and Postpartum	PHP 8,000.00
Antenatal Care Package (ANCO1)	Prenatal Care	PHP 1,980.00
Antenatal Care and Intrapartum Package (ANCO2)	Antenatal care services with Intrapartum monitoring or labor watch (without delivery)	PHP 2,795.00

b. NEWBORN CARE PACKAGE (NCP)

Professional Fee, Expanded Newborn Care, Newborn Screening, Newborn Hearing Screening	PHP 3,413.00
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J. Antonio R. Reyes

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c. NEONATAL ANTIBIOTIC TREATMENT PACKAGE

Antibiotic and Supplies	PHP 1,250
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No service fee shall be collected from the patients when the Merida Birthing Clinic refers her to the nearest hospital and if no medicines/supplies are consumed. However, if the patient utilizes medicines and supplies, she is required to make replacement or payment thereof.

SECTION 8. EXEMPTION– Residents and Non- Residents with complete PHILHEALTH requirements are exempted for service fees.

SECTION 9. TERMS OF PAYMENT –The amount Paid based on the service fees will be paid directly to the MTO or its duly authorized representative assigned in the Merida Birthing Clinic before the patient is allowed to be discharged.

SECTION 10. ALLOCATION OF FUNDS– All fees collected shall accrue to the Merida Birthing Clinic in trust fund and shall be allocated and appropriated for:

1. Procurement of drugs, medicines and supplies necessary for the operation of the Merida Birthing Clinic.
2. Purchase of equipment for the improvement of Merida Birthing Clinic
3. Fuel, Oil and Maintenance cost of the ambulance and generator assigned to the Merida Birthing Clinic.
4. Repairs and Maintenance of the Merida Birthing Clinic facilities and equipment.
5. Office supplies; and
6. Salaries and wages of the personnel of the Merida birthing Clinic.

SECTION 11. DISTRIBUTION OF PHILHEALTH CAPITATION FUND

- a. 60% of the PHILHEALTH benefit packages will go to the facility while 40% for the professionals with the corresponding breakdown:

MATERNAL CARE PACKAGE (MCP)

Benefit Packages	Health Services covered	Amount	Facility Fee (60%)	Professional Fee (40%)
Maternity Package (MCPO1)	Prenatal normal delivery and postpartum	P10,400.00	P 6,240.00	P 4,160.00
Normal Spontaneous Delivery Package (NSDO1)	Normal Delivery and Postpartum	P 8,000.00	P 4,800.00	P 3,200.00
Antenatal Care Package (ANCO1)	Prenatal Care	P 1,980.00	P 1,170.00	P 780.00
Antenatal Care and Intrapartum Monitoring Package (ANCO2)	Prenatal Care and Intrapartum monitoring or labor watch (without delivery)	P 2,795.00	P 1,677.00	P 1,118.00

NEW BORN CARE PACKAGE (NCP)

Professional Fee	Expanded Newborn Screening	NEWBORN SCREENING	NEWBORN HEARING SCREENING (If applicable)	TOTAL AMOUNT
P 652.00	P 920.00	P 1,841.00	P 422.00	P 3,413.00

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J. Antonio R. Santos

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(CONTINUATION OF MUNICIPAL ORDINANCE NO. 07, SERIES OF 2024 DATED JUNE 10, 2024
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To include Annual Membership Fee for Good Standing among Health personnel (doctors, midwives, nurses) since good standing among health personnel is required by Department of Health Licensing.

SECTION 12. CONTINUING EDUCATION AND ADVOCACY PROGRAM– the Head of Facility shall include in their annual plans and programs the continuing education and advocacy program regarding the benefits of Merida Birthing Clinic to ensure safety of the life of both mother and child.

SECTION 13. COMPLIANCE OF MINIMUM REQUIREMENT–The Local Chief Executive (LCE) shall see to it that the Head of Facility comply with the minimum requirement set by the DOH regarding the operations of birthing home or clinic.

SECTION 14. PROHIBITION AGAINST HOME- BASED DELIVERIES / PENALTY

- a. Revision to Non- Institutional Deliveries Instead of Home-Based Deliveries
- b. Penalty of P 2,500.00 for every non-institutional deliver;
- c. Exclusion of P 1,000.00 and P 2,000.00 for 1st and 2nd offense respectively
- d. Aside for HILOT, to include midwife who shall be fined ~~foe~~ P 2,000.00 for delivery at Barangay Health Station.
- e. Exclusion of imprisonment at the discretion of the court
- f. Penalty for grand multigravida and primigravid deliveries – P 2,500.00

SECTION 15. REPEALING CLAUSE– Ordinances, rules and regulations contrary to or inconsistent with the provisions of this Ordinance are hereby amended, repeated or modified accordingly.

SECTION 16. SEPARABILITY CLAUSE –if, for any reasons, any part or provision of this ordinance shall be held to be unconstitutional or invalid, the rest of the provisions hereof which are not affected thereby, shall continue to be in full force and effect.

SECTION 17. EFFECTIVITY –This ordinance shall take effect after the lapse of ten (10) days from the date a copy hereof is posted in the bulletin board of the municipal hall and another copy each posted likewise in, at least two (2), other conspicuous places in the municipality.

ENACTED BY THE SANGGUNIANG BAYAN (18TH COUNCIL) OF MERIDA, LEYTE AT ITS REGULAR SESSION HELD ON THE 10TH DAY OF JUNE 2024.

APPROVED UNANIMOUSLY.

SANGGUNIANG BAYAN MEMBERS



CHENIE C. CALDERON
Municipal Councilor
Assistant Floor Leader



JOEL A. MARSON
Municipal Councilor



JESUS ANTONIO R. MARTINEZ
Municipal Councilor



EMARITO A. LUZARES
Municipal Councilor
Majority Floor Leader



FELIPE H. PEREZ, JR.
Municipal Councilor

CAMILO L. DEJON
Municipal Councilor
(Forced Leave)



NENEA C. OYAO
Municipal Councilor



STEPHANIE M. MIRALLES
Municipal Councilor



ASHLEY NOREEN DIAZ
Ex-Officio (Mun. SK. Fed. President)



RONILLO O. LABANG
Ex-Officio (Mun. InB President)



**(CONTINUATION OF MUNICIPAL ORDINANCE NO. 07, SERIES OF 2024 DATED JUNE 10, 2024
.....//PAGE 05)**

APPROVED BY HIS HONOR, THE MUNICIPAL MAYOR ON June 26, 2024.

APPROVED BY:

ENGR. ROLANDO M. VILLASENCIO
Municipal Mayor

CERTIFIED BY:

RODRIGO M. WENCESLAO
Municipal Vice Mayor / Presiding Officer

ATTESTED BY:

JOSELITO T. DELOS ANGELES
Secretary to the Sangguniang Bayan



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MERIDA

OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that MUNICIPAL ORDINANCE NO. 07, SERIES OF 2024 – “AN ORDINANCE PRESCRIBING FEES AND CHARGES FOR THE SERVICES AND USE OF FACILITIES OF THE MERIDA BIRTHING CLINIC OF MERIDA, LEYTE” had been posted in three (3) conspicuous places in the locality within three (3) consecutive weeks from JUNE 26, 2024 to JULY 17, 2024.

THIS CERTIFICATION has been issued in compliance to Section 511 (1), Title One, book IV of RA 7160, otherwise known as the Local Government Code of 1991.

DONE AND ISSUED this 18TH DAY OF JULY at Merida, Leyte, Philippines.


JOSELITO T. BELOS ANGELES
Secretary to the Sangguniang Bayan