



Republic of the Philippines
Province of Cavite
CITY OF BACOR

Office of the Sangguniang Panlungsod



DISTRICT I

HON. CATHERINE SARINO-EVARISTO
City Councilor

HON. MICHAEL E. SOLIS
City Councilor

HON. ADRIELITO G. GAWARAN
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor

HON. ALEJANDRO F. GUTIERREZ
City Councilor

HON. LEVY M. TELA
City Councilor

DISTRICT II

HON. ROBERTO L. ADVINCULA
City Councilor

HON. REYNALDO D. PALABRICA
City Councilor

HON. REYNALDO M. FABIAN
City Councilor

HON. ROGELIO M. NOLASCO
City Councilor

HON. ALDE JOSELITO F. PAGULAYAN
City Councilor

HON. SIMPLICIO G. DOMINGUEZ
City Councilor

HON. RANDY C. FRANCISCO
Liga ng mga Barangay Vice-President

HON. PALM ANGEL S. BUNCIO
SK Federation President

Attested by:
ATTY. KHAJID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:
HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor

Approved by:
HON. STRIKE B. REVILLA
City Mayor

CITY ORDINANCE NO. 384-2024
Series of 2024

AN ORDINANCE PROMOTING THE RIGHT OF PERSONS DEPRIVED OF LIBERTY TO HAVE ACCESS TO BASIC HEALTHCARE SERVICES THROUGH THE ESTABLISHMENT OF A JAIL CLINIC WITHIN THE BACOR CITY JAIL AND PROVIDING FUNDS FOR ITS CONSTRUCTION, MAINTENANCE AND OPERATION.

Authored by

Hon. ALEJANDRO F. GUTIERREZ
(Chairman, Committee on Peace and Order and Public Safety)

Hon. REYNALDO D. PALABRICA
(Chairman, Committee of Health and Sanitation)

WHEREAS, according to a survey conducted in 2023 by WorldAtlas.com, Philippine jails are the fourth most crowded in the whole world with an occupancy rate of 362%.

WHEREAS, due to the severe overcrowding in jail facilities in the Philippines, persons deprived of liberty (PDL) detained at the said facilities are also often deprived of their fundamental right to health.

WHEREAS, Section 9 of the United Nations' General Assembly Resolution No. 45/111 dated 14 December 1990 provides that "prisoners shall have access to the health services available in the country without discrimination on the grounds of their legal situation".

WHEREAS, Republic Act No. 11223 (the "Universal Health Care Act") provides, among others, that it is the policy of the State to protect and promote the right to health of all Filipinos and instill health consciousness among them and that the State shall adopt a health care model that provides all Filipinos access to a comprehensive set of quality and cost-effective, promotive, preventive, curative, rehabilitative and palliative health services without causing financial hardship, and prioritizes the needs of the population who cannot afford such services. (Underscoring supplied).

WHEREAS, due to the congestion of jail facilities in the City of Bacoor, Cavite, persons deprived of liberty detained in the Bacoor City Jail are vulnerable to various diseases.



Republic of the Philippines
Province of Cavite
CITY OF BACOR

Office of the Sangguniang Panlungsod



DISTRICT I

HON. CATHERINE SARINO-EVARISTO
City Councilor

HON. MICHAEL E. SOLIS
City Councilor

HON. ADRIELITO G. GAWARAN
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor

HON. ALEJANDRO F. GUTIERREZ
City Councilor

HON. LEVY M. TELA
City Councilor

DISTRICT II

HON. ROBERTO L. ADVINCULA
City Councilor

HON. REYNALDO D. PALABRICA
City Councilor

HON. REYNALDO M. FABIAN
City Councilor

HON. ROGELIO M. NOLASCO
City Councilor

HON. ALDE JOSELITO P. PAGULAYAN
City Councilor

HON. SIMPLICIO G. DOMINGUEZ
City Councilor

HON. RANDY C. FRANCISCO
Liga ng mga Barangay Vice-President

HON. PALM ANGEL S. BUNCIO
SK Federation President

Attested by:
ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:
HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor

Approved by:
HON. STRIKE B. REVILLA
City Mayor

WHEREAS, the incarceration of PDL limits their easy access to healthcare services since the law requires a competent Court Order prior their visit to hospitals for medical checkup.

WHEREAS, allowing PDL to mingle with the general public while they are having medical check-ups or while receiving medical treatment entail the implementation of complicated and expensive security measures by the BJMP that cost significant amounts of taxpayers money.

WHEREAS, the Bureau of Jail Management and Penology (BJMP) has the needed manpower to provide health care services to PDL which include physicians, nurses, medical technologists, pharmacists, x-ray technicians and other allied health professionals. However, the BJMP does not have enough funds to buy the medicines and equipment needed to maintain the health of persons deprived of liberty incarcerated at the Bacoor City Jail.

WHEREAS, following the Supreme Court ruling in Mandanas v. Ochoa (G.R. No. 199802, 3 July 2018), the task of providing for basic health services to the public has been devolved to local government units (LGUs).

WHEREAS, considering that most PDL now detained at the Bacoor City Jail are residents of the City and most of them still retain the right to vote, the PDL population at the said facility can be likened to a community or a barangay of city residents who are entitled to receive basic health services from the City Government.

WHEREAS, the Sangguniang Panlungsod believes that providing medicines and medical equipment for persons deprived of liberty detained at the Bacoor City Jail is a prudent public policy that should be promoted by the City Government as it creates favorable conditions for the eventual reintegration to society of former prisoners and will eventually lead to the creation of a more peaceful, law-abiding, and humane society.

NOW, THEREFORE, be it ordained by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite in regular session duly assembled THAT:

SECTION 1. TITLE. This Ordinance shall be known and referred to as the "**Health Care for Persons Deprived of Liberty Ordinance of Bacoor.**"

SECTION 2. PURPOSES. This Ordinance aims to: (1) establish a jail clinic within the Bacoor City Jail to be manned by



Republic of the Philippines
Province of Cavite
CITY OF BACOR

Office of the Sangguniang Panlungsod



DISTRICT I

HON. CATHERINE SARINO-EVARISTO
City Councilor

HON. MICHAEL E. SOLIS
City Councilor

HON. ADRIELITO G. GAWARAN
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor

HON. ALEJANDRO F. GUTIERREZ
City Councilor

HON. LEVY M. TELA
City Councilor

DISTRICT II

HON. ROBERTO L. ADVENCULA
City Councilor

HON. REYNALDO D. PALABRICA
City Councilor

HON. REYNALDO M. FERRAN
City Councilor

HON. ROGELIO M. NOLASCO
City Councilor

HON. ALDE JOSELITO P. PAGULAYAN
City Councilor

HON. SIMPLICIO G. DOMINGUEZ
City Councilor

HON. RANDY C. FRANCISCO
Liga ng mga Barangay Vice-President

HON. PALM ANGEL S. BUNCIO
SK Federation President

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor

Approved by:

HON. STRIKE B. REVILLA
City Mayor

healthcare professionals under the employ of the BJMP, (2) to provide sufficient medicines, medical supplies, and healthcare equipment using City Government funds, and (3) to give persons deprived of liberty detained at the Bacoor City Jail unhampered access to basic health care regardless of their legal situation.

SECTION 3. OBJECTIVES. The objectives of this Ordinance are:

- a. To provide sufficient and unhampered basic health care services to persons deprived of liberty detained at the Bacoor City Jail as they are entitled to the same health services as any Bacooreño.
- b. To assist in the guarantee of public safety and order by limiting the movement and interaction of PDL with the general public.
- c. To foster shared responsibility of government agencies and the local government of providing basic services to all individuals; and
- d. To assist in ensuring the successful reintegration into mainstream society of persons formerly deprived of liberty.

SECTION 4. DEFINITION OF TERMS. As used in this Ordinance, the following terms shall be defined as:

1. Persons Deprived of Liberty - are persons detained at the Bacoor City Jail, awaiting the final outcome of their criminal cases pending trial before the appropriate courts of law.
2. Bacoor City Jail - are the jail facilities situated within the City of Bacoor under the management of the BJMP comprising of the Bacoor City Jail-Female Dorm and the Bacoor City Jail-Male Dorm.

SECTION 5. MINIMUM SPECIFICATIONS AND INCLUSIONS - The City Government shall fund the construction, repair, and maintenance of the jail clinic within the jail facility of the BACOR CITY JAIL-FEMALE DORM and the BACOR CITY JAIL-MALE DORM with the following minimum specifications and inclusions:

- a. An enclosed space with a minimum floor area of -with a lavatory/sink, toilet and bath
- b. A part of the floor area with at least to be allotted for sterilization of equipment
- c. Medical equipment consisting of oxygen tank with regulator, nebulizer, suction machine, ultrasound, mobile x-ray, manual blood pressure aneroid stand type, height and weight standing scale.
- d. Medicines to include is line antibiotics, analgesics, anti-hypertensive and medicines,



Republic of the Philippines
Province of Cavite
CITY OF BACOR

Office of the Sangguniang Panlungsod



DISTRICT I
HON. CATHERINE SARINO-EVARISTO
City Councilor

HON. MICHAEL E. SOLIS
City Councilor

HON. ADRIELITO G. GAWARAN
City Councilor

HON. VICTORIO I. GUERRERO, JR.
City Councilor

HON. ALEJANDRO F. GUTIERREZ
City Councilor

HON. LEVY M. TELA
City Councilor

DISTRICT II
HON. ROBERTO L. ADVENCULA
City Councilor

HON. REYNALDO D. PALABRICA
City Councilor

HON. REYNALDO M. FERNANDEZ
City Councilor

HON. ROGELIO M. NOLASCO
City Councilor

HON. ALDE JOSELITO P. PAGULAYAN
City Councilor

HON. SIMPLICIO G. DOMINGUEZ
City Councilor

HON. RANDY C. FRANCISCO
Liga ng mga Barangay Vice-President

HON. PALM ANGEL S. BUNCIO
SK Federation President

Attested by:
ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:
HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor

Approved by:
HON. STRIKE B. REVILLA
City Mayor

SECTION 6. FUNDING. The Local Government of the City of Bacoor is hereby authorized to appropriate funds from all available and legally obtainable sources that may be utilized for the implementation of this ordinance subject to compliance to pertinent laws and government regulations.

SECTION 7. IMPLEMENTING RULES AND REGULATIONS (IRR). The City Legal Services Office in coordination with the City Health Office, the Committee on Finance and Budget Appropriations of the Sangguniang Panlungsod, the City Treasurer Office, City Budget Office, the Committee on Peace and Order and Public Safety of the Sangguniang Panlungsod, the City Engineering Office, the General Services Office, Accounting Office, BJMP Bacoor City Jail-Female Dorm and the Bacoor City Jail-Male Dorm shall formulate the Implementing Rules and Regulations of this Ordinance subject to the approval of the City Mayor.

SECTION 8. REPEALING CLAUSE. All Ordinances, Resolutions, Local Executive Orders, Rules and Regulations or any part thereof inconsistent herewith are hereby deemed repealed, modified or amended accordingly.

SECTION 8. SEPARABILITY CLAUSE. In any case any provision of this Ordinance is declared unconstitutional or invalid, the other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 9. EFFECTIVITY. - This Ordinance shall take effect immediately upon its publication at least once in a newspaper of general circulation within the City of Bacoor, Cavite.

APPROVED this 15th day of July 2024 by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite.

I hereby certify that the foregoing Ordinance was duly approved in accordance with law.

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor/Presiding Officer



Republic of the Philippines
Province of Cavite
CITY OF BACOR

Office of the Sangguniang Panlungsod



DISTRICT I

HON. CATHERINE SARINO-EVARISTO
City Councilor

HON. MICHAEL E. SOLIS
City Councilor

HON. ADRIELITO G. GAWARAN
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor

HON. ALEJANDRO F. GUTIERREZ
City Councilor

HON. LEVY M. TELA
City Councilor

DISTRICT II

HON. ROBERTO L. ADVINCULA
City Councilor

HON. REYNALDO D. PALABRICA
City Councilor

HON. REYNALDO M. PABLAN
City Councilor

HON. ROGETTO M. NOLASCO
City Councilor

HON. ALDE JOSELITO F. PAGULAYAN
City Councilor

HON. SIMPLICIO G. DOMINGUEZ
City Councilor

HON. RANDY C. FRANCISCO
Liga ng mga Barangay Vice-President

HON. PALM ANGEL S. BUNCIO
SK Federation President

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor

Approved by:

HON. STRIKE B. REVILLA
City Mayor

Attested:

ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

Approved:

HON. STRIKE B. REVILLA
City Mayor

Date of Approval: 10 SEP 2024